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WAR FOOD ADMINISTRATION
AGRICULTURAL ADJUSTMENT AGENCY
DEPARTMENT OF AGRICULTURE
WASHINGTON, D. C.

1945 AGRICULTURAL CONSERVATION PROGRAM

NORTH CENTRAL REGION

PROCEDURE TO BE FOLLOWED IN THE COUNTY AND
STATE OFFICES IN FURNISHING CONSERVATION
MATERIALS AND SERVICES

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Section I.—MATERIALS AND SERVICES TO BE FURNISHED AND THE STATES IN WHICH THE DIFFERENT MATERIALS AND SERVICES WILL BE FURNISHED

A. GENERAL

Conservation materials and services for carrying out approved conservation practices will be furnished on request in lieu of payments under the 1945 Agricultural Conservation Program in all States in the North Central Region, except Nebraska and South Dakota. Services only will be furnished in Nebraska and South Dakota. The materials to be furnished are: Liming materials, 18, 19, and 20 percent superphosphate, rock phosphate, and gypsum. The services to be furnished are: Line running, staking out of dams for livestock water, construction of standard terraces, dams for livestock water, and farm ditches. The area in which each of these materials and services will be furnished is set forth in subsections B and C.

The cost of conservation materials or services furnished under this program shall be borne by farmers receiving the materials or services by having deductions made from payments earned for carrying out practices under the Agricultural Conservation Program. However, farmers will be required to contribute a proportionate part of the material or service in cash at the time the material or service is furnished. In some cases the cash collection will be made by county committees and in other cases by the contractor.

Contract purchases of materials for distribution to farmers will be made in accordance with provisions covering government purchasing contained in section 3709, Revised Statutes of the United States, except as modified by the authority granted under the First War Powers Act. Materials and services will also be provided on purchase orders authorized under section 8 (b) of the Soil Conservation and Domestic Allotment Act.

B. STATES APPROVED FOR DIFFERENT MATERIALS

1. **Liming materials** will be furnished in Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Ohio, and Wisconsin.

2. **Superphosphate, 18, 19, and 20 percent**, will be furnished in Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Ohio, and Wisconsin.

3. **Defluorinated phosphate rock, 18, 19, and 20 percent**, will be furnished in Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Ohio, and Wisconsin.

4. **Rock phosphate** will be furnished in Illinois.

5. **Gypsum** will be furnished in Minnesota.

C. STATES APPROVED FOR COUNTY ASSOCIATION SERVICES AND SERVICES FURNISHED UNDER PURCHASE ORDERS

1. **All line running in connection with any conservation practices listed in the Committeeman's Handbook** will be furnished through the county association in Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Nebraska, Ohio, South Dakota, and Wisconsin.

2. **Staking out dams for livestock water** and inspecting the construction of such dams and staking of land to be leveled for irrigation will be furnished through the county association in Nebraska and South Dakota.

3. **Construction of dams for livestock water** will be furnished under the purchase order plan in Illinois, Indiana, Iowa, Missouri, Nebraska, Ohio, and South Dakota.

4. **Construction of terraces** under the purchase order plan will be furnished in Illinois, Indiana, Iowa, Minnesota, Missouri, Nebraska, Ohio, South Dakota, and Wisconsin.

5. **Construction of farm ditches** under the purchase order plan will be furnished in Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Nebraska, Ohio, South Dakota, and Wisconsin.

Section II.—SPECIFICATIONS

A. LIMING MATERIALS TO BE FURNISHED UNDER CONTRACT IN THE STATES OF ILLINOIS, INDIANA, IOWA, MICHIGAN, MINNESOTA, MISSOURI, AND WISCONSIN

1. **Agricultural ground limestone** (this material must be in bulk and on a 2,000-pound ton basis) :

- a. The material must contain 80 percent calcium carbonate equivalent.
- b. The material must be ground sufficiently fine so that 80 percent, including all the finer particles obtained in the grinding process, will pass through an 8-mesh sieve.
- c. The moisture content at the time of shipment shall not exceed 8 percent.

NOTE: One or both specifications for "a" and "b" above must be above the minimum so that the multiplication of the percent of calcium carbonate equivalent by the percent of material passing through an 8-mesh sieve will be equal to or in excess of 0.7200.

2. **Marl, sugar beet refuse lime and paper mill refuse lime** (these materials must be in bulk and on a cubic yard basis) :

- a. The material must contain a minimum of 70 percent calcium carbonate equivalent.
- b. The material must be furnished in a condition suitable for spreading.

3. **Lead mine refuse lime** (this material must be in bulk and on a 2,000-pound ton basis) :

- a. The lead must be separated by the water table method.
- b. The sludge must contain 80 percent calcium carbonate equivalent and must be ground so that 90 percent will pass through an 8-mesh sieve.
- c. The moisture content at time of shipment must not exceed 8 percent.

4. **Carbide refuse lime** (this material must be in bulk and on a 2,000-pound ton basis) :

- a. The material must contain a minimum of 85 percent calcium carbonate equivalent.
- b. The moisture content at the time of shipment shall not exceed 35 percent.

5. **Agricultural granulated slag or agricultural slag screenings** (this material must be in bulk and on a 2,000-pound ton basis) :

- a. The material must contain 80 percent calcium carbonate equivalent.
- b. The material must be sufficiently fine so that 80 percent will pass through an 8-mesh sieve.

6. Other liming materials.—Liming materials other than those listed herein can be furnished only upon approval by the North Central Division.

B. LIMING MATERIALS TO BE FURNISHED UNDER CONTRACT IN OHIO

1. Agricultural meal (this material must be in bulk and on a 2,000-pound ton basis) :

- a. The material must contain 80 percent calcium carbonate equivalent.
- b. The material must be ground sufficiently fine so that 80 percent, including all the finer particles obtained in the grinding process, will pass through an 8-mesh sieve and 20 percent through a 100-mesh sieve.
- c. The moisture content at the time of shipment shall not exceed 8 percent.

NOTE: The calcium carbonate equivalent or the percent passing through an 8-mesh sieve must be above the minimum so that the multiplication of the percent of calcium carbonate equivalent by the percent of material passing through an 8-mesh sieve will be equal to or in excess of 0.7200.

2. Agricultural superfine liming material.—The material must be ground sufficiently fine so that 90 percent, including all the finer particles obtained in the grinding process, will pass through an eight-mesh sieve, and 80 percent or more will pass through a hundred-mesh sieve. The material must contain 80 percent calcium carbonate equivalent and not more than 8 percent moisture.

3. Agricultural pulverized liming material.—The material must be ground sufficiently fine so that 90 percent, including all the finer particles obtained in the grinding process, will pass through an eight-mesh sieve, and 60 to 75 percent will pass through a hundred-mesh sieve. The material must contain 80 percent calcium carbonate equivalent and not more than 8 percent moisture.

4. Agricultural ground liming material.—The material must be ground sufficiently fine so that 90 percent, including all the finer particles obtained in the grinding process, will pass through an eight-mesh sieve, and 40 to 55 percent will pass through a hundred-mesh sieve. The material must contain 80 percent calcium carbonate equivalent and not more than 8 percent moisture.

5. Agricultural granulated slag or agricultural slag screenings (this material must be in bulk and on a 2,000-pound ton basis) :

- a. The material must contain 80 percent calcium carbonate equivalent.
- b. The material must be sufficiently fine so that 80 percent will pass through an 8-mesh sieve.

C. SUPERPHOSPHATE

1. 18-percent superphosphate.—This material will be furnished in 100-pound bags and shall contain not less than 18 pounds available P_2O_5 per bag, which shall be considered the equivalent of 18 pounds P_2O_5 for conservation practice credit purposes.

2. 19-percent superphosphate.—This material will be furnished in 100-pound bags and shall contain not less than 19 pounds available P_2O_5 per bag, which shall be considered the equivalent of 19 pounds P_2O_5 for conservation practice credit purposes.

3. 20-percent superphosphate.—This material will be furnished in 100-pound bags and shall contain not less than 20 pounds available

P_2O_5 per bag, which shall be considered the equivalent of 20 pounds P_2O_5 for conservation practice credit purposes.

D. DEFLUORINATED PHOSPHATE ROCK

This material will be termed "phosphate fertilizer" and shall contain not less than 18 percent available P_2O_5 which shall be considered the equivalent of 18 pounds available P_2O_5 per bag for conservation practice credit purposes. It will be furnished in 100-pound bags.

E. ROCK PHOSPHATE

This material will be furnished in 100-pound bags and shall contain not less than 30 percent total phosphoric acid (P_2O_5) with a maximum of 3 percent moisture at the time of shipment. Phosphate rock mined and recovered in the State of Florida shall be ground sufficiently fine so that not less than 85 percent will pass through a 200-mesh sieve; phosphate rock mined and recovered in the State of Tennessee shall be ground sufficiently fine so that 95 percent will pass through a 200-mesh sieve; both materials shall be in a suitable condition for application on the land with standard fertilizer equipment.

F. GYPSUM

This material will be furnished in 100-pound bags, shall contain not less than 18 percent of water soluble sulphur with a maximum of 6 percent moisture in addition to water of crystallization and shall be of such fineness that not less than 85 percent will pass through a 100-mesh sieve.

G. SPECIFICATIONS FOR SERVICES TO BE FURNISHED UNDER THE PURCHASE ORDER PLAN

Dams for livestock water, terraces, and farm ditches shall be constructed in accordance with the specifications set forth in each State's NCR-901, Committeeman's Handbook.

H. MATERIALS FURNISHED UNDER THE PURCHASE ORDER PLAN

For any materials which may be approved by the Regional Director under the purchase order plan the procedure set forth in section VII will apply.

Section III.—PROCUREMENT METHODS

A. MATERIAL PURCHASED UNDER CONTRACT

1. **18-, 19-, and 20-percent superphosphate, defluorinated, and raw rock phosphate.**—Contracts for these materials will be awarded by the Washington office of the Department of Agriculture and allotments of such materials will be made to the States.

2. **Liming materials and gypsum.**—Under the supervision of the State committee, county committees will solicit bids for liming materials on a delivered to farm and delivered and spread basis from regular dealers and suppliers and make recommendations for award of contracts to the State committee. The State committee member au-

thorized to act as contracting officer will make awards and authorize the county committees to proceed with the acceptance of requests for material and placing of orders. State committees will solicit bids for liming materials and gypsum for delivery f. o. b. rail, f. o. b. truck, f. o. b. truck at stock pile, and stock pile types of delivery. Awards made for these types of delivery will be on a State-wide basis.

a. Type of contracts entered into with contractors.—All contracts awarded will be source of supply contracts. In addition to the instructions contained herein, operations under these contracts will be governed by the procedure set forth in Procurement Manual, part II, Contracting Procedure prepared by the Office of Budget and Finance. (Copies of the manual will be furnished each contracting officer.)

(1) **Type of award.**—Awards made under source of supply contracts represent a continuing offer by the contractor to furnish material at the price indicated in his bid, in accordance with the terms of the offer. However, a binding contract is created when orders are accepted by the contractor, making him liable for failure to deliver the amount ordered, and to pay excess costs which may be incurred in connection therewith. The contractor will be obligated to fill all orders mailed to him, or placed with him in person unless they are returned to the office placing the order within 15 days from the date such order was mailed to him or placed with him in person. All orders returned should be accompanied by a written notification from the contractor explaining his inability to accept the order.

(a) Orders may be returned within the 15-day period only if the contractor does not have sufficient material to fill the orders. If the contractor desires to return a portion of the orders placed, the ordering office will determine which orders are to be returned.

(b) In the case of orders for deliver to farm or deliver to farm and spread on fields types of delivery the contractor may return individual orders to the county office at any time if he is unable to make proper financial arrangements with the farmer for payment of the farmer's share of the cost of the material. The county committee should not agree to the return of such orders unless the contractor submits acceptable evidence that the farmer will not make arrangements for payment of his share. The county committee will decide whether the evidence submitted is acceptable. The contractor is obligated for the total tonnage accepted by him and if any orders are returned for the above reason the county committee should place other orders with the contractor for an equal tonnage.

(c) Individual orders returned by the contractor because the farmer has not made proper financial arrangements for payment of his share of the cost of the material should not be canceled by the county committee. Orders of this type should be placed at the bottom of the list in the county office and should not be placed with the contractor again until all other orders on hand in the county office have been placed with the contractor or the farmer has made proper financial arrangements for payment of his share of the cost of the material.

(2) **Contracts awarded on county basis.**—County committees will solicit bids and State contracting officers will make awards on a county basis for material delivered to farm and delivered and spread. The Government will assume liability in the contract for payment to the contractor of an amount per ton of cubic yard equal to the credit rate for the area for which the award was made. The contractor must look to the farmer receiving the material for the difference per ton or cubic yard between the credit rate and the contract price.

(3) **Contracts awarded on a State-wide basis.**—State committees will solicit bids and make awards on a State-wide basis for all material furnished on a f. o. b. rail, f. o. b. truck, f. o. b. truck at stock pile and stock pile basis. If the cost to the Government exceeds the credit rate for the area, the county committee will collect in cash from the farmer the difference between the cost of the material and the credit rate. The Government will pay the contractor the total contract price.

3. Right of either party to terminate contract.—The contractor may terminate his offer at any time upon written notice to the Government. After giving such written notice to the Government he is not required to accept any additional orders; however, he must furnish an explanation why cancellation is desired. This statement is necessary as it will be used as a basis to determine if such contractor should be solicited for future business. If cancellation is requested for unjustifiable business reasons, future invitations should not be sent to such contractor. If such contractor requests an invitation and bids, then such bid should not be recommended for acceptance.

The Government may, at any time, terminate the award made to the contractor. The Government will terminate the award for the following reasons:

a. Where material is delivered that does not meet the specifications as stipulated in the bid invitation, unless local conditions make it necessary to accept material slightly below specifications. In this event, make payment therefor at a reduced price. The State committee shall decide all such cases.

b. Where orders have been placed with the contractor and have not been delivered on schedule or otherwise not in accordance with his offer. A contractor is required to fulfill a terminated contract to the extent of unfilled orders on hand on the date the contract is terminated and which are not returned to the office placing the order within five days from the date mailed or delivered to him.

c. Where a contractor makes an assignment of his agreement. (For exceptions see section IV, paragraph M, subparagraph 17, or this procedure.)

d. Due to the contractor's failure to meet prevailing commercial prices.

NOTE: If at any time during the period of the contract lower prices are quoted to the county committee by a responsible contractor other than the ones originally solicited, or there is a general commercial reduction in price and the county committee believes a lower price can be obtained, such price quotations must be immediately communicated to the State office. Under these circumstances the contractor who has received the award should be given an opportunity to reduce his price to meet the new available price. If he does not do so, the State committee may elect to terminate the agreement and instruct the county committee to readvertise for new bids. Extreme care should be exercised by the contracting officer to avoid readvertising where to do so might result in a higher price than originally bid or in a saving too nominal to warrant the cost of readvertising. However, every effort should be made to obtain the best price within the county.

B. MATERIALS AND SERVICES FURNISHED UNDER THE PURCHASE ORDER PLAN

Material or services approved by the North Central Region may be furnished by vendors under the Purchase Order Plan on the order of the county committee to farmers whose requests for such materials or services have been approved by the county committee. Payments to vendors will be approved by the county committee and payment will be certified in the State office.

1. Fair price.—The county committee will establish a fair price for each material or service to be used in the county in accordance with the following:

a. **Definition of fair price.**—A fair price is the lowest price at which the county committee determines that vendors are able to supply a sufficient volume of a material or service, taking into consideration, among other things, (1) the prices which farmers are currently paying for the material or service through local supply channels; (2) the prices at which farmers can obtain the same materials or services through other than local channels; (3) where production of the material is local, the prevailing cost to the vendor and the normal margin; (4) where the service involved is not customarily performed commercially in the locality, the estimated cost of performing the service plus a margin to the vendor reasonably in line with locally prevailing trade margins.

b. **Recommendation of fair prices.**—County committees shall obtain quotations from all vendors who customarily furnish the particular type of material or service in the county. These quotations shall indicate the price per unit at which the material or service will be furnished and the approximate quantity that the vendor can furnish. The quotations received shall be summarized on Form ACP-146, Fair Price Recommendations, and submitted in triplicate to the State office. The county committee should indicate on Form ACP-146 their recommendation as to a fair price for the specified material or service to be furnished to farmers in the county.

c. **Approval of fair prices.**—The State committee will forward one copy of Form ACP-146 to the regional office for approval unless the regional office has given the State committee prior permission to approve fair prices in the State office.

d. **Persons who may fill purchase orders.**—Any vendor, in addition to those submitting quotations to the county office at the time the fair price was established, may fill purchase orders provided he will furnish such material or service at or below the fair price.

C. SERVICES FURNISHED THROUGH THE COUNTY ASSOCIATIONS

County association personnel may perform any of the services approved for their State and which have been authorized on Form ACP-64 by the county committee for the farm.

Section IV.—GENERAL INSTRUCTIONS FOR CONTRACTING

A. FIRST WAR POWERS ACT

All contracts shall be awarded in conformance with the authority granted the AAA by the Director of Finance under the First War Powers Act and amendments. Executive Order 9001 and 9023 authorized the Department to perform the functions and exercise the powers described in title II of the act, approved December 18, 1941 (Public Law 354, 77th Cong.), entitled "An Act to Expedite the Prosecution of the War Effort." The contracting officers of the North Central Region may exercise the above-mentioned authority within the limitations provided in this procedure.

B. PRICE CEILINGS

Awards shall not be made at a price exceeding the bidders' price ceilings established by Revised Maximum Price Regulation 386, effective October 12, 1944.

C. TRANSPORTATION TAX

Shipments made on Government bills of lading are exempt from the federal transportation tax. It is, however, applicable to all other transportation hired by the Government, including that supplied under county association trucking contracts entered into on Form NCR-984.

Contractors supplying railhead or delivered to farm service under contracts with the Government must pay the tax on hired transportation, whether rail or truck. If they use their own trucks, the tax is not applicable.

D. WALSH-HEALEY ACT

Provisions of the Walsh-Healey Act will apply to all contracts where the value of the material to be furnished may exceed \$10,000. If the contractor states in his offer that he will not comply with the provisions of the Walsh-Healey Act, his contract must be limited to \$10,000.

E. PRELIMINARY STEPS IN SOLICITING BIDS

1. Form NCR-965, Request for Authority to Solicit Bids to Establish Sources of Supply for Conservation Materials.—The county committee, after analyzing the needs of the county will request authority from the State committee to solicit bids. The county committee will solicit bids for delivered to farm and delivered and spread types of delivery and the State Committee will solicit bids for f. o. b. rail, f. o. b. truck, f. o. b. truck at stock pile and stock pile types of delivery on a State-wide basis. Form NCR-965 shall be used for this purpose and a separate form, in duplicate, shall be submitted for each type of material desired. The following information should be entered on the form:

a. **Material—kind desired (item 1).**—Indicate the kind of material desired. It is permissible to recommend advertising for more than one kind of material if the needs of the county justify it. In such case, separate advertisements will be necessary and separate Forms NCR-965 should be completed by the county committee.

b. Bids may not be solicited for any material not listed in section I herein without prior approval being obtained by the State committee from the North Central Division.

c. No deviation from the specifications, as prescribed by the North Central Division, will be permitted.

d. **Area desired (item 2).**—The area in the county for which a source of supply is desired should be given: for example, the entire county or specified townships.

e. **Type of delivery desired, prevailing county prices, and amount of material (item 3).**—

- (1) Check the types of delivery desired in the county.
- (2) Estimate the prevailing commercial prices in the county for the types of delivery to be solicited.
- (3) Estimate the amount of material to be ordered through December 31, 1945, by types of delivery and total in tons or cubic yards, whichever is applicable.

f. **Sources of supply to be solicited (item 4).**—The county committee will list regular dealers, truckers, and producers normally supplying material for the area. It is necessary that wide competition be had through sending invitations to bid to all responsible dealers, truckers, and producers in the area.

g. **Signature.**—The chairman of the Agricultural Conservation Association should sign and date the request in the spaces provided therefor.

F. AUTHORIZATION TO SOLICIT BIDS

The contracting officer will make entries on Form NCR-965 as follows:

1. Enter in item 5 the date bids are to be solicited.
2. Enter in item 6 the date and time bids are to be opened.
3. Enter in item 7 the names and addresses of additional persons to be solicited, and, if approved,
4. Sign and date the form in the spaces provided therefor and return the original copy to the county.

G. SOLICITING BIDS

1. County solicitation.—U. S. Standard Form 33 (Revised) shall be prepared by the county office.

a. No entries shall be made in the spaces for the invitation No. or contract No.

b. Enter in the proper spaces in the heading the name and address of the County Agricultural Conservation Association.

c. Enter in the space for the date the date on which the invitation is made.

d. Enter in the proper spaces in the invitation part the time and date for receiving and opening bids. This should be taken from NCR-965.

e. Enter the name and title of the chairman of the Agricultural Conservation Association in the proper spaces.

f. Enter in the proper spaces, the approximate tonnage desired and the name of the county and State in which such material is to be furnished.

g. No entries shall be made by the county office in the bid part of the contract except on page 4. The following entries in the table on this page should be made by the county office before the invitations are made to the prospective bidders:

(1) The names of the townships for which bids are being solicited for Delivered to Farm and/or Delivered to Farms and Spread on Fields types of delivery.

(2) In the column headed "Net payments to contractor" enter the 1945 credit rate per ton or cubic yard opposite the applicable township name.

2. State-wide solicitation.—U. S. Standard Form 33 (Revised) shall be prepared by the State office:

- a. No entries shall be made in the spaces for the invitation No. or contract No.
- b. Enter in the proper spaces in the heading the name and address of the State Agricultural Conservation Committee.
- c. Enter in the spaces for the date the date on which the invitation is made.
- d. Enter in the proper spaces in the invitation part the time and date for receiving and opening bids.
- e. Enter the name and title of the State contracting officer in the proper spaces.
- f. Enter in the proper spaces the approximate tonnage required and the name of the State in which such material is to be furnished.
- g. No other entries should be made in the contract form by the State office.

H. FORMS TO BE SENT TO BIDDERS

1. U. S. Standard Form 33 (Revised), together with pages 2, 3, and 4 of the contract form, shall be forwarded in duplicate to all responsible dealers, truckers, or producers known to the county committee and/or the State committee.

2. If the amount of material which will be used in the area covered by the bid invitation may exceed \$10,000 in value, two copies of the Walsh-Healey stipulations should be submitted to the prospective bidder with the bid invitation forms and should be made a part of any award in excess of \$10,000.

3. If any person requests permission to bid, he shall be given an invitation. A copy of the county invitation and the State-wide invitation shall also be posted in the post office in the city where the county committee receives their mail.

I. PERSONS EXCLUDED FROM BIDDING

The following persons may not have any interest in a Government contract for liming materials: Agricultural conservation community committeemen, county agricultural conservation committeemen, agricultural conservation county office employees, State agricultural conservation committeemen, agricultural conservation State office employees, other Federal employees, and any member or delegate to Congress or resident commissioner.

J. RECEIPT OF BIDS

1. Bids will be received in the office of the county association in case of county solicitations and in the State office in case of State-wide solicitations, and held unopened under lock until the date and time of opening, as stated in the advertisement. Any bids received and opened through error prior to the time of opening will be immediately resealed by the person opening same and the envelope signed to show

who opened it, and such person shall be held responsible that the contents thereof are not divulged.

2. Public opening and recording of bids.—At the time and date of opening, all bids received shall be opened publicly, read, and the prices bid recorded in a permanent record by the person named in the advertisement, or his representative, at the place mentioned in the advertisement. The bid abstract, Form NCR-967, will be the permanent record. Bidders or their representatives may be present at the opening.

3. Delayed bids.—Bids presented by hand or received in the mail after the time of opening will be returned to the bidder unopened with a letter of explanation, except in the case where the delay was due to the mails and the post office cancellation mark, confirmed by the postmaster, clearly indicates that the bid was mailed in proper time and manner to be received in the ordinary course of mails before the time fixed for the opening of bids. In this event the bid should be opened, considered, and clearly marked to show the time of receipt.

4. Correction in bids before opening:

a. Corrections made on bids prior to opening must be initialed by the bidder or must be verified by a statement signed by the bidder, if such bid is to be recommended for acceptance. When this statement is necessary, it must be attached to the original bid. Corrections not initialed on bids which are not to be recommended for acceptance must be noted by a statement made and signed by the county committee, or in the case of State-wide solicitations by the State contracting officer. This statement must be attached to such bid for future reference. If at a later date such bid is to be accepted it will be necessary to have the changes initialed by the bidder or a statement obtained from him verifying such change and attached to the original bid before the contract can be awarded.

b. Bids can be corrected, amended, or withdrawn by telegraph or letter before the time set for the opening of bids. In such cases the telegram or letter should be held and considered together with the bid at the time of opening.

5. Telegraphic bids:

a. Complete telegraphic bids cannot be considered.

b. Telephone or oral bids, or a bid submitted by letter and not on the bid invitation, U. S. Standard Form 33 (Revised), cannot be considered.

6. Correction in bids after opening:

a. No corrections or modifications in bids will be permitted after the time of opening. Clarification of a bid by the bidder may be considered by the contracting officer.

b. Where the price bid is obviously in error, the county committee or the State committee, whichever is applicable, should verify the price bid by securing a written statement from the bidder which should be attached to the bid.

7. State or local sales taxes.—State or local sales taxes should not be included in the price bid. It will be necessary for the contractor to sign a certification to the effect that such taxes were not included in the price offered, when his voucher is submitted for payment.

8. Examining bids:

a. The county committee or the State committee, whichever is applicable, will examine all bids to see that they are properly executed; that no modifications have been made in the terms of the invitation, and that they are signed by the bidders or their authorized representatives.

b. In the event an agent signs for the principal, the principal must be disclosed and the committee examining the bids must be satisfied that the agent has authority to act in the capacity shown.

c. If the identity of the bidder cannot be determined, the bid will not be considered for an award.

9. Abstracting bids.—The county committee or the State office, whichever is applicable, will prepare an abstract of all bids received on Form NCR-967—Bid Abstract.

If a discount is offered, compute the net price and enter it on the bid abstract.

K. RECOMMENDATIONS BY COUNTY COMMITTEE FOR CONTRACTS AWARDED ON A COUNTY BASIS

1. Administrative determination by county committee.—It is the definite responsibility of the county committee to make such inquiries or investigations as may be necessary, with regard to the bidder's source of supply, credit facilities, and equipment, to administratively determine the bidder's apparent ability to comply with his offer.

2. Awards to other than low bidders.—Subject to the county committee's determination of the bidder's ability to comply with his offer, awards may be made to other than low bidders under any of the following conditions:

a. The source of supply of the low bidder is not the most centrally located source in relation to the area to be served.

b. Deliveries by the low bidder would consume a total mileage in excess of the permitted mileage approved for the bidder's trucks.

c. Deliveries by the low bidder would entail an excessive rail haul.

d. Award to low bidder would cause his hauls to overlap those of other contractors.

e. It is necessary to make awards to more than one bidder to adequately meet requirements of the area with a minimum use of transportation facilities.

f. If a bidder specifies "all or none" of a group of townships, or the entire county, and it is clearly to the advantage of the Government to accept such bid, in that the aggregate cost for the area specified is less than the cost would be if separate awards were made for the individual townships, the bid may be recommended.

g. If it is the definite conviction of the county committee, after proper investigation, that the bidder will not be able to comply with the terms of his offer, even though he is the acceptable bidder otherwise, such bidder need not be recommended to the contracting officer. It will be necessary in such cases to furnish information to the State office regarding the bidder's source of supply, credit facilities, equipment, experience of the county committee in dealing with him, and any other reasons why the county committee believes the bidder should not be given the award.

3. Tie bids:

a. The county committee should determine whether any factor exists that would result in an advantage to the Government and form a basis for preferring one bidder over another. An example of this would be the difference in quality of material, or the fact that one bidder is offering sufficient material to meet the entire needs of the county and another bidder is offering an amount of material that will only partially meet the needs of the county.

b. It is possible to recommend the acceptance of all bids which are tied. This would be desirable if no bidder has offered enough material to meet the probable needs of the county.

c. If no factor exists which would justify accepting one tie bid over another, and it is not desirable to accept all tie bids, the one to be accepted should be determined by lot.

d. The receipt of a number of tie bids indicates possible collusion among bidders. In this event, the county committee should investigate such bids and furnish the State office with a statement covering the results of this investigation and their opinions as to whether collusion actually existed.

4. **Completing bid abstract.**—After the bids have been abstracted and county committee determinations have been made, the bid abstract should be forwarded to the State committee in duplicate, together with the county committee's recommendation for awards. The county committee's recommendations shall be included in a memorandum to be attached to the bid abstract. A copy of the abstract and the committee's recommendations should be retained in the County Association files as a permanent record.

5. **Forwarding bids to the State office.**—The county will forward the following forms to the State office:

- a. All bids received and the envelopes in which they were sent.
- b. Two copies of the bid abstract, Form NCR-967, and two copies of the county committee's recommendations.
- c. All county office correspondence to and from bidders and any additional information or material incidental to the bids.

L. STATE-WIDE BIDS OPENED IN THE STATE OFFICE

1. All State-wide bids shall be opened and abstracted on Form NCR-967-A in the State office.

2. All of the conditions set forth in paragraph K, Recommendations by County Committee For Contracts Awarded on a County Basis, shall be followed by the State committee in determining the successful bidders on State-wide awards.

3. The county committee and the fieldman, at the request of the State committee, shall assist in compiling the information required in paragraph K, subparagraph 1.

M. HANDLING BIDS AND RELATED MATERIAL IN THE STATE OFFICE

1. Bid Receiving and Progress Record—Form NCR-975:

a. Post columns 1, 2, 3, and 4 when the request for authority has been received from the county and is approved and returned.

b. Time Stamp. Immediately upon receipt of the bids, Form NCR-967, bid envelopes, and all correspondence pertaining to the bids, each separate sheet should be stamped to indicate the date and time of receipt (preferably on the reverse side in a manner that will not obscure any important entries).

c. Post column 5 when the executed bids and related material are received in the State office.

d. Assign material to a clerk for a detailed check. The initials of the clerk to whom the material is assigned should be inserted in column 8.

2. **Suspensions.**—Suspensions shall be prepared on a blank sheet of paper approximately the same size as the bid. In the upper left-hand corner show the name of the county. On the next line, below the county, enter the name of the contractor. On the right-hand side, enter the date of the suspension. Number each separate suspension notation and leave a line between each. After all reasons for suspensions have been noted on the suspension sheet, the clerk should sign at the bottom and then clip the sheet to the bid and other related forms.

3. **Determining that all necessary material has been received.**—Before a detailed examination is made of the recommendations, a check should be made that all forms listed on the bid abstract are present. If any material is missing, a notation of that fact should be made on the suspension sheet.

4. Examining bids.—Determine:

a. That all prospective bidders have been solicited by the county by making a cross check of the names appearing on Form NCR-967 and NCR-965.

b. That the blanks provided for the name of county association, address, and date have been properly completed on the bid forms.

c. That the approximate quantity of the material and the names of the county and State are entered in the spaces provided therefor.

d. That the blanks for average truck haul, location of source, the amount of material, price, etc., are properly completed by the bidder.

e. Whether the aggregate cost of the material offered may exceed \$10,000. If different prices are quoted for different townships, assume that each township will receive an equal share of the material offered, and by thus averaging the cost of the material determine the probable amount of the award. Where, according to this computation, the value of the material offered will exceed \$10,000, determine that item 2 of the bidding schedule has been completed. If the answer is "yes" and the Walsh-Healey Act is applicable, determine that the Walsh-Healey stipulations are included with the bid. In the event the Walsh-Healey stipulations are not included with the bid, a notation should be made on the suspension sheet to attach a copy to the bid, if accepted, before transmitting the contract to the General Accounting Office, and to forward a copy of such stipulations to the bidder with the notice of acceptance. If the answer is "no" or if the county committee has knowledge that the value of the material to be furnished under the contract will not exceed \$10,000, a notation should be made on the suspension sheet to limit the contract to \$10,000. Bidders who indicate in item 1 of the bidding schedule that they are not dealers or manufacturers may not be awarded a contract in excess of \$10,000.

f. That no alterations have been made on the printed parts of the form, and that all changes in entries made by the bidder bear the initials of the persons signing the bid.

g. That the bid was submitted and dated prior to the time of opening. A bid should be questioned if there is anything about the bid, the envelope in which it was submitted, or any surrounding circumstances that indicate the bid was not actually received in its complete form prior to the date of opening the bid. Accepting bids submitted after the time set for opening removes the fair competition required by law since late bidders may have obtained information that would enable them to unfairly submit the lowest bid.

h. That where a discount has been offered, the county has indicated on the bid abstract the net prices per ton after taking the discount into consideration. The county committee computations should be checked.

i. That the lowest acceptable price bid does not exceed the price for which the material is being sold commercially, as indicated by the estimates submitted by the county at the time authority to solicit bids was requested. (Form NCR-965.)

j. That the amount of material offered by the bidder is comparable with the needs of the county as estimated by the county on Form NCR-965.

k. That no restrictions are made by the bidder which would change the terms of the advertisement. If restrictions or modifications in any manner would permit the bidder to obtain an advantage over other bidders, such bid should be rejected. An example of such restriction would be if a contractor bid on a per ton mile basis.

5. Examining bid abstract:

a. Determine that all the necessary information on this form has been properly entered.

b. In the event any information has been omitted from the form that cannot be supplied in the State office from available information, the form should be returned to the county office for completion.

6. Tie bids.—In making awards the State office should give consideration to the instructions to county offices contained in paragraph K, subparagraph 3, Tie Bids, of this procedure.

7. Making awards.—No award should be made until all questions concerning the bid to be accepted have been settled.

8. Preparation of Standard Form No. 1036:

- a. Where awards are made to other than low bidder, the contracting officer will prepare standard Form No. 1036 in triplicate.
- b. Standard Form No. 1036 shall contain a complete explanation and justification of the action taken.
- c. The original shall be forwarded to the North Central Division, one copy filed with the State office copy of the contract, and one copy filed with the county office of the contract. **DO NOT SEND A COPY TO THE GENERAL ACCOUNTING OFFICE.**
- d. The information furnished on this form must be complete since all action taken under the First War Powers Act is subject to review by the Director of Finance.

9. Contract number:

- a. The State office will number the contracts consecutively beginning with number 1, preceded by the letter "A," the State code number, and "(L45), aa"; for example, "A35 (L45) aa-1."
- b. **Register of contract numbers.**—A register of numbers shall be prepared showing the contract numbers and the names of the contractors.
- c. Enter the number of each contract in the upper right corner of the bid form in the space marked "Contract No. ." This number will be entered on the original signed bid, the original typed copy, and all carbon copies.

10. Notice of Acceptance.—Form NCR-971 (or Form NCR-971-A):

- a. This form shall be prepared in quintuple—original and four copies.
- b. Enter in the proper space at the top of the form the contract number, together with the name and address of the contractor.
- c. Enter the proper information in the blank spaces in the first sentence of the acceptance.
- d. **Form NCR-971.**—The unit (per ton or cubic yard) should be entered following "per _____" at the top of the table. The name of the township, the net payment to the contractor, and the accepted prices for each township for which an award is to be made shall be entered in the applicable columns in the table.
- e. **Form NCR-971-A.**—The unit (per ton or cubic yard) should be entered following "per _____" at the top of the table. The name and location of the source of supply and the accepted prices per ton or cubic yard for the types of delivery accepted, shall be entered in the applicable columns in the table.
- f. If a discount was offered it should be entered in the blank space provided therefor at the bottom of the form.
- g. Enter whichever is applicable "is" or "is not" in the sentence pertaining to limitation to \$10,000.
- h. The contracting officer shall sign the original and one copy of the form in the space provided therefor and indicate his title. The facsimile signature, or the typed name, of the contracting officer should be inserted on the remaining copies.
- i. The date of acceptance shall be entered on all copies.

11. Distribution of U. S. Standard Form 33 (Revised), and related forms:

- a. The original Form NCR-971 (or NCR-971-A) shall be forwarded to the contractor with a letter of instructions (see sample of NCR-968), and a supply of Forms NCR 663 and NCR-664.
- b. The signed original of Form 33 and a signed copy of the Notice of Acceptance Form NCR-971 (or NCR-971-A) shall be attached together for forwarding to the General Accounting Office, Washington, D. C.
- c. A copy of the bid abstract, a copy of the Notice of Acceptance, and Standard Form No. 1036 shall be attached together for forwarding to the regional office.
- d. One copy of Form 33, together with a copy of the Notice of Acceptance (NCR-971) shall be forwarded to the county association covering all contracts awarded for "Delivered to Farms" and "Delivered to Farms and Spread on Fields."
- e. The following shall be filed in the State office:

(1) **Accepted bids.**—The original typed copy of Form 33, a copy of the bid abstract, a copy of Form 1036, and a copy of Form NCR-971 (or NCR-971-A) should be placed in a folder and secured by an ACCO fastener. The bid abstract should appear first in the file. The tab on the folder should bear the name of the county, the name of the contractor, and the contract number, except in the case of State-wide awards the name of the county will not be shown.

(2) **Rejected bids.**—These should be filed by counties in a folder immediately following the accepted bid folder. Rejected bids in connection with State-wide solicitation should be filed in a folder immediately following the accepted State-wide contract.

12. Preparation of PC-1 Notice of Award of Contract.—Form PC-1 shall be prepared for each contract subject to the provisions of the Walsh-Healey Act as follows:

a. In quintuple (disregard notation on PC-1 as to number of copies).

b. Fill in blanks with information requested. Since no minimum wage has been determined by the Secretary of Labor the word "no" should be entered in the blank space of the following sentence, "Minimum wage determination of the Secretary of Labor in the _____ industry made part of contract."

c. The original and first carbon copy of Form PC-1 should be signed by the contracting officer.

d. **Distribution.**—The original and the first three carbon copies shall be forwarded to Public Contract Section, Wage, Hour and Public Contracts Division, Department of Labor, Washington, D. C. The remaining carbon copy shall be retained in the State office files.

13. Preparation of Forms PC-13—Poster.—Forms PC-13 shall be sent to contractors subject to the provisions of the Walsh-Healey Act in conformance with the following procedure:

a. The word "has" in the sentence "A minimum wage has (has not) been determined by the Secretary of Labor for the industry," shall be crossed out by the contracting officer before sending the poster to the contractor.

b. Two posters for each plant shown on Form PC-1 as supplying material shall be furnished the contractor.

c. A separate letter of transmittal containing information relative to the keeping of employment records required under the act available for inspection by authorized representatives of the Secretary of Labor shall be sent to the contractor for each plant.

d. When name or address of the plant furnishing the material is different from that of the contractor, add the following note to the bottom of the letter of transmittal: For posting at (name) (address). Where a contractor is a manufacturer the posters are for display in his plant regardless of the type of delivery involved. Where a dealer bids on a delivered basis, the posters are for display at his place of business. If, however, a dealer bids a price f. o. b. the quarry of a limestone producer, then the posters are also for display at the quarry.

14. Readvertising.—In the following cases the State committee will authorize the county to readvertise:

a. **All bids originally rejected.**—Where the State committee has rejected all bids received under a prior advertisement and the State committee believes that readvertising may establish satisfactory sources of supply.

b. **Original supply exhausted.**—Where the amount offered by the accepted contractor has been ordered and sufficient additional material cannot be secured through an increase in his contract or by negotiating a new contract at a fair and reasonable price.

c. **Contract terminated before completion thereof.**—Where the contract has been terminated for any reason.

d. The provisions of paragraphs a, b, and c above shall also be followed in the case of State-wide contracts.

15. Increasing amount of material to be delivered under the contract:

a. The amount of material offered by the bidder may be increased by mutual consent of the contractor and the contracting officer when the contractor agrees to provide more material at the same price or a lower price, and the county committee determines that this is the best price that can be currently obtained. If an increase in the amount of the contract is desired, the county committee should forward the State committee the following:

(1) A memorandum giving the additional amount needed and stating that the price offered is the best price that can be currently obtained.

(2) Attached to the above memorandum a statement from the contractor setting out:

(a) That he agrees to deliver material meeting the specifications provided in the original contract at the same or a lower price. (Giving the price and contract number.)

(b) The amount he agrees to furnish.

b. If it appears that it might be possible to secure a better price through readvertising, the county committee should request authority from the State committee to readvertise.

c. The Walsh-Healey Act applies to all contracts where the amount of the contract may exceed \$10,000. In the case of increasing an agreement where the increase may result in the value of the agreement being in excess of \$10,000, the Walsh-Healey Act will apply to the amount of increase and the undelivered portion of the original contract at the time of increase. It is necessary that the contractor sign a statement agreeing to comply with the provisions of the Walsh-Healey Act. If the contractor will not agree to comply with the provisions of the Walsh-Healey Act, it will be necessary to limit the increase in the contract so that the total amount of the contract will not exceed \$10,000.

d. The provisions of paragraphs a, b, and c above shall also be followed in the case of State-wide contracts.

16. **Treating offers to decrease price after award.**—After an award has been made, the contractor may offer to decrease his contract price for a temporary period or for the duration of the contract, and the Government has the right to accept his offer since it is obviously to the advantage of the Government. If a temporary decrease is offered, the contract may later be increased up to but not to exceed the price contained in the original award, provided the language used does not preclude a later increase of price. An example of an offer for a temporary decrease in price is the statement, "Until further notice my price should be decreased \$0.25 per ton." If the contractor furnishes a statement which does not limit the reduction to a temporary period, such as "From now on until the end of my contract my price should be reduced \$0.25 a ton," then under no circumstances can it be increased to the original price. In all cases, offers to decrease prices must be in writing, signed by the contractor, and transmitted immediately to the State office. A letter of acceptance shall be written by the contracting officer to the contractor. One signed copy thereof together with the original of the offer shall be forwarded to the General Accounting Office, Washington, D. C., also copy of the offer and a copy of the acceptance shall be forwarded to the North Central Division. The same procedure must be followed in connection with subsequent increases in price. County office records shall be changed as soon as the decreases or increases are properly approved by the State office.

17. Transfer of interest in contract :

a. If a contractor desires to transfer the interest of his contract to another person, he should be advised that such procedure is not permissible except in cases which come under the provisions of paragraph 26 (Contracts—Assignment) on page 120 of U. S. Department of Agriculture Procurement Manual, part II, Contracting Procedure.

b. The estate of a deceased contractor may transfer the balance of the contract to a substitute contractor as provided by the instructions in section IX, paragraph K, item 4, of this procedure.

c. In the event of the transfer of a source of supply contract in disregard of the instructions referred to above, the State office should be advised immediately in order that the contract may be terminated.

18. Assignment of payments by contractors :

a. Payments due under a contract may be assigned. Such assignment shall be made in conformance with the procedure set forth in section X, paragraph I, of this procedure.

N. ALLOTMENT OF FUNDS

1. Allotment of funds to be used in certifying payments to contractors and to vendors under purchase orders will be made by the Regional office. State offices should request an allotment for this purpose prior to January 1, 1945, based on an estimate of the total value of orders which will be placed with liming material contractors, and purchase orders for superphosphate and services which will be placed with vendors prior to July 1, 1945. Forms ACP-64 shall not be placed with contractors or purchase orders issued to vendors, unless the State office has sufficient unobligated funds available in the allotment to cover the estimated value of such Forms ACP-64 or purchase orders. County offices will advise the Conservation Materials Unit in the State office on the 20th of each month and the Conservation Materials Unit will advise the State Accountant on the 25th of each month of the following:

a. Total value of all Forms ACP-64 and purchase orders placed with contractors and vendors for the 30-day period ending on the 20th of each month.

b. Estimated value of all Forms ACP-64 and purchase orders expected to be placed with contractors and vendors during the subsequent 30-day period.

The State Accountant will obligate the total amount represented in (a) above and will use the total amount represented in (b) above in determining whether or not it will be necessary to request an additional allotment from the regional office.

Section V.—ELIGIBILITY**A. CONSERVATION MATERIALS AND SERVICES**

Any farmer who intends to participate in the agricultural conservation program and who is not on the county office register of indebtedness may, upon his request, be furnished conservation materials or services.

1. **Amount of materials or services.**—The total value of the materials or services furnished to any person shall not exceed the payment which the county committee believes will be earned by such person (not including the small payment increase) by the performance of regular practices, minus the amount of such payment which has been assigned.

a. Where a specified amount or percentage in excess of the regular allowance may be earned by a performance of a special practice, this amount may be included in the computations above provided the materials or services to be furnished are for the performance of such practice, except the special allowance for pasture improvement in Illinois.

b. Where an unlimited amount in excess of the regular allowance may be earned by the performance of a special practice, this amount may be included in the above computations provided the materials or services to be furnished are for the performance of such practice and the amount furnished does not exceed the number of units of the special practice to be performed times the credit rate.

2. Maximum amount to be furnished.—The maximum number of units of materials and services which may be furnished to any person will be the number of units obtained by dividing the payment determined in accordance with paragraph 1 above by the unit credit rate for the materials or services. For example:

\$70.00=Allowance expected to be earned.

2.00=Cost per ton for limestone delivered to the farm.

.60=Paid in cash by farmer to contractor.

1.40=Credit rate per ton for limestone.

$\$70.00 \div 1.40 = 50$ tons of limestone (maximum amount which can be furnished).

70.00=Payment earned for application of limestone.

14.00=Small payment increase.

84.00=Total payment earned.

70.00=Deduction for material.

14.00=Payment due—Farmer will file an application for this payment.

Before approving requests for materials or services for the full amount of the regular allowance and the special allowance, the county committee shall give careful consideration to the following:

- a. Need for the materials or services on the farm.
- b. To farms for which orders were accepted under previous programs but the material was not delivered.
- c. Need for the performance of other practices on the farm.
- d. Amount of materials or services available for distribution in the county.
- e. The availability of equipment in the county for the performance of unlimited practices.
- f. The probability of the performance of other practices on the farm by other persons having an interest in the allowance available for the farm.

3. Kinds of materials or services.—A producer may be furnished more than one kind of material or service provided the total amount of all materials and services furnished is not in excess of the limitations set forth in this section.

4. Deductions for materials or services.—Deductions for materials or services furnished will be made in accordance with the provisions set forth in the Committeeman's Handbook.

Section VI.—COUNTY OFFICE PROCEDURE—LIMING MATERIALS

A. ACCEPTING ORDERS FROM FARMERS

1. Farmers will order liming material through the county association by use of Form ACP-64 (revised, September 1944).—a. Form ACP-64, Request for Conservation Material or Service, will be prepared as follows:

(1) Enter in the spaces provided in the upper right corner the name of the applicant, the State and county code numbers, and the farm number. Make no entry in the blank "Request for shipment number".

(2) Enter the program year during which the material is to be used in the proper space.

(3) In the space after the word "Payment" enter the amount of any advance payment collected from a farmer, in the next space enter the date the collection is made and in the space above the word "Initials" enter the initials of the committeeman or employee accepting the advance payment.

(4) Enter the proper information in the blank spaces of the table. The unit cost to AAA will be obtained from the column on the Notice of Acceptance headed "Net payment to contractor." Total cost to AAA will be the unit cost times the quantity. The unit cost to farmers will be the difference between the contract price and the cost to AAA. If the contract price is the same as the cost to AAA, enter "0" in the space provided for cost to farmers. Total cost to farmers will be the unit cost to farmers times the quantity.

(5) Enter the address of the applicant in the space provided.

(6) Enter the location of the farm in the space provided, giving sufficient information that the contractor will have no difficulty in locating it.

(7) The applicant should date and sign the request in the spaces provided.

(8) A member of the county committee should enter the date and sign the request if satisfactory in the space provided.

2. Cash collections.—a. The AAA will assume the cost of conservation material in an amount equal to the 1945 credit rate or actual cost to the AAA, whichever is the smaller:

(1) **Delivered to farm and delivered and spread orders.**—The farmer will pay the contractor the difference between the credit rate and the contract price.

(2) **F. o. b. rail, f. o. b. truck, f. o. b. truck at stock pile, and stock pile.**—The farmer will pay the county committee the difference between the credit rate and cost of the material (including freight for rail shipments) if the cost exceeds the credit rate. The county committee must make the collection before the farmer receives the material. The collection can be made at the time the ACP-64 is signed or, in the case of rail delivery, at the time the car is unloaded.

(3) Cash collections received in connection with (2) above will be handled in accordance with Memorandum A & F-45-8—County Associations, dated September 30, 1944.

3. Distribution of Form ACP-64:

a. **Original.**—County office copy.

(1) For all orders other than rail shipments, the original should be held in the pending file until the material is delivered. After the material is delivered it should be checked against the Form NCR-663, Delivery Receipt, and then filed in the indebtedness file.

(2) For all orders covering rail shipments, the original should be held in the pending file until the material is received and the farmer's signature is obtained. It should then be filed in the indebtedness file.

b. **First carbon.**—This carbon should be forwarded to the contractor by the county committee in all cases except rail delivery. In the case of rail delivery this copy is superfluous.

c. **Second carbon.**—This carbon should be given to the farmer in all cases.

B. ORDERING MATERIAL

1. County committees will place orders directly with the contractor covering material for delivered to farm, delivered and spread, f. o. b. truck, f. o. b. truck at stock pile, and stock pile types of delivery.

a. Form ACP-65 (revised September, 1944) should be used as a transmittal for the first carbon of ACP-64's to the contractor.

b. Form ACP-65 for this purpose should be prepared by entering the information required in the following spaces:

(1) Program year

(2) State

(3) County

(4) Contractor

(5) Type of material

(6) Shipping point (location of quarry)

- | | |
|--|---|
| (7) Contract No. | (12) List all ACP-64's by Farm No., names of farmers, and amount of order |
| (8) Type of delivery (use separate forms ACP-65 for different types of delivery) | (13) Total quantity requested and unit |
| (9) Date desired | (14) Total number of requests |
| (10) Sheet numbers | (15) Total value of requests |
| (11) Unit (tons or cubic yards) | |

c. A member of the county committee should sign and enter the date in the spaces provided.

d. Distribution of Form ACP-65.

- (1) **Original.**—Attach to related Forms ACP-64 and forward to contractor.
- (2) **First carbon.**—County office file by contractors.
- (3) **Second carbon.**—State office.
- (4) **Third carbon.**—This copy is extra and may be used in any manner the county may see fit.

2. Orders should be placed in accordance with the anticipated delivery schedule shown in the contract for delivered to farm and delivered and spread types of delivery. Orders for all other types of delivery should be placed in accordance with allocations received from State offices.

a. Orders should be placed with the contractor in a manner which will result in his having not more than 60 days' supply of undelivered orders on hand at any one time.

b. If the contractor does not make delivery in accordance with the terms of his contract, a member of the county committee should contact him in an effort to determine the reason for the delinquency. If the problem cannot be settled satisfactorily between the county committee and the contractor the county committee should promptly report the facts in the case to the State office for handling.

C. CONTRACTOR'S CLAIM FOR PAYMENT

1. NCR-663. Delivery receipt:

a. Form NCR-663 will be filled out in triplicate by the contractor, and the farmer or his authorized agent will sign in the lower right corner.

b. The originals will be attached to the contractor's delivery summaries, NCR-664, and be forwarded to the county office at periodic intervals. The first copy of Form NCR-663 will be given to the farmer and the last copy will be retained by the contractor.

2. **NCR-664.** Contractor's delivery summary (when the present supply of Forms NCR-664 is exhausted Form ACP-68-B will be used. Any references to Forms NCR-664 are equally applicable to Forms ACP-68-B).

a. Four copies of this form are filled out by the contractor.

b. The original and two copies will be forwarded to the county association and one copy will be retained by the contractor.

c. When received in the county office, Forms NCR-663 and NCR-664 shall be checked against Forms ACP-64 to determine that deliveries have been made in accordance with the approved requests. If Form NCR-664 shows deliveries in excess of the amount ordered on the related ACP-64, Form NCR-664 shall be corrected accordingly and the contractor shall be so notified. Such corrections shall be initiated by the contractor before the form is forwarded to the State office. In cases where the amount delivered was less than the amount ordered, the Form ACP-64 shall be reduced to the amount delivered.

d. After thoroughly checking Forms NCR-664 against Forms ACP-64 and NCR-663, the original and one copy shall be forwarded to the State office. One copy shall be retained for the county association file.

D. RAIL DELIVERY OF LIMING MATERIALS

1. **Orders for rail deliveries** will be placed with the State office on Form ACP-65, in accordance with the allocation of material furnished the county office by the State office.

2. **ACP-65** (revised September 1944) will be prepared as follows:

a. Enter in the applicable spaces:

- | | |
|-------------------------------|--|
| (1) Program year | (9) Consignee |
| (2) State and county | (10) Post office address |
| (3) Name of contractor | (11) Point of delivery and final carrier |
| (4) Type of material carrier. | (12) Total quantity requested |
| (5) Shipping point | (13) Total number of requests |
| (6) Contract No. | (14) Total value of requests |
| (7) Type of delivery | |
| (8) Date desired | |

b. A member of the county committee should sign and enter the date in the spaces provided.

c. Forward the original and first copy to the State office. Retain the second carbon copy in the county office; the other copy is superfluous.

3. **Accounting for material received under rail shipments.**

a. Upon arrival of a shipment the consignee will notify all producers who have requested material.

b. Acknowledge receipt of the material by preparing a receiving and inspection report, Form ACP-67. Forms ACP-67, revised June 18, 1940, should be used for cases where no shortage is involved until the supply has been exhausted. Forms ACP-67, revised November 1943, shall be used whenever a shortage is involved.

c. Prepare Form ACP-67 in the following manner:

(1) Enter the names of the county and State and the applicable code numbers in the space provided.

(2) Enter the Aaa Request for Shipment No. in the space provided.

(3) Enter the bill of lading number in the space provided.

(4) Enter in the spaces provided the date received, the quantity consigned (refer to B/L), the quantity received (actual tons or yards received), the name of the material, the name of the contractor from whom received, the actual point of delivery, and the name of the railroad.

(5) Make no entry in the space provided for the zone in which the farm is located.

(6) Place check marks in the applicable blocks regarding point of delivery, type of material (bagged or bulk), and type of bag.

(7) Enter in the spaces provided the railroad car initials and the car number, and enter a check mark to indicate the type of car used.

(8) Make no entries in the spaces provided for the railroad waybill number and its date, and the delivery agent's freight bill number and its date.

(9) Place a check mark in the applicable block to indicate whether a sample was taken on delivery.

(10) Under "Remarks" for shipments of liming materials only, state whether a deduction has been made from the vendor's voucher, in addition to any other pertinent information.

(11) In the event of loss, damage, or shortage, answer the questions on the reverse of the form and have the form notarized. Each original ACP-67 indicating a shortage (where no damage is involved) as between the material accounted for by consignees and that specified on the related bill of lading shall be accompanied by a statement from the railroad agent at destination setting forth the amount of shortage and certifying that no transportation charge would be made for it.

(12) The certification at the bottom of page 1 of the form shall be completed by the consignee.

d. **Distribution of Form ACP-67.**

(1) Forward the original and two copies to the State office.

(2) File one copy in the county office.

4. Completion of Form ACP-65 to cover deliveries to farmers.

a. Form ACP-65 will be prepared in duplicate. Use the approved original returned by the State office and the carbon that was retained in the county office.

b. After the material is received by the farmer, as shown on Form ACP-64, the portion of ACP-65 showing "Serial Number, etc.," should be completed as follows:

(1) Serial No.—Enter the farm number appearing on the related ACP-64.

(2) Name of farmer—Enter the name of the applicant appearing on the related Form ACP-64.

(3) Unit—Enter the number of tons or cubic yards. On the dotted line immediately above (Unit) enter tons or cubic yards, whichever is applicable.

(4) Correct the entry opposite "Total value of requests" to correspond with the total value of materials actually received.

(5) In the column headed "This shipment" opposite the words "Quantity received" enter the amount received as shown on Form ACP-67.

(6) Obtain a total of the "Unit" column and enter it in the column headed "This shipment" opposite the words "Distributed this report." The amount distributed should equal the quantity received as shown on Form ACP-67.

c. The original Form ACP-65 should be forwarded to the State office with Form ACP-67.

5. **Distribution of conservation materials by consignee.**—The consignee will supervise the distribution of conservation materials to see that each producer receives the amount requested on Form ACP-64. Consignee will arrange for the use of a scale, if possible, for weighing any bulk material which is received. Where scales are not available, the division of the material among the producers may be handled in any manner satisfactory to all interested parties.

E. TRUCKING CONTRACT

1. **Form NCR-984, Trucking Contract—Agricultural Liming Materials,** will be used by county offices in connection with f. o. b. truck and f. o. b. rail shipments when farmers are unable to furnish their own or to obtain adequate trucking facilities, and when use of such trucking contracts will facilitate the delivery of liming materials to farmers in the county. When trucking contracts are involved the county association will collect the difference between the total cost to AAA and the credit rate from the farmer prior to the time the material is delivered. Instructions covering the use of Form NCR-984 are as follows:

a. The trucker will sign Form NCR-663, Delivery Receipt, at the quarry for f. o. b. truck deliveries.

b. The trucker will obtain a receipt on another Form NCR-663 from the farmer for the delivered to farm or delivered to farm and spread on field service.

c. The two receipts should be compared in the county office to verify the amount the trucker received at the quarry against the amount actually delivered.

d. For rail deliveries, the total on the Form NCR-663 submitted by the trucker should equal the amount of material received as shown on Form ACP-67, Receiving and Inspection Report.

e. A county committeeman, community committeeman, or employee at the county office shall act as consignee for rail shipments, inspect the car, and prepare Form ACP-67. The trucker shall not be the consignee.

f. The farmer will sign Form ACP-64, Request for Materials, covering the cost of the material plus the trucking charge.

g. Expenses incurred for trucking will be paid by the association and shown on NCR-County No. 13, Monthly Summary of Expenditures and Collections under "Conservation materials—other expenses."

h. Forms shall be prepared in duplicate and both copies shall be signed by the trucker and the chairman of the county committee and forwarded to the State office for approval. A representative of the State committee shall sign the original and the copy of the contract and enter the date of approval, if the prices are reasonable and the contract is otherwise acceptable, and will return both the

original and the copy to the county office. The State office shall maintain a record of all information on the approved contracts. The original of the contract shall be retained by the county office and the copy shall be sent to the trucker.

F. COUNTY OFFICE RECORDS AND REPORTS

1. **Form NCR-979, Contractor's Progress Record**, will be used to maintain a record of orders placed with and orders delivered by a contractor. Instructions for the preparation of the form are as follows:

a. Upon receipt of the county office copy of the contract or an allotment of material under a State-wide contract the county should prepare Form NCR-979 by entering the name of the contractor, contract number, total offered by the contractor (or the total allotted to the county in the case of State-wide contracts), and the types of delivery. If the contract is limited to \$10,000 enter \$10,000 in the column headed "Limited."

b. As orders are placed with the contractor, the number of orders placed and the total tonnage of orders placed on any particular day shall be entered on Form NCR-979 in the applicable columns.

c. Entries on Form NCR-979 should be made in the following manner:

(1) Enter the total of the number of Forms ACP-64 transmitted with Form ACP-65 to the contractor on a particular day in the applicable column headed "No. of orders."

(2) Enter the total tonnage represented by the Form ACP-65 in the tons ordered column provided for the applicable type of delivery.

(3) Add the total tonnage ordered on each ACP-65 to the total in the "Cumulative tons ordered" column. The cumulative total tons ordered should not exceed the total tonnage offered under the contract, or the total tonnage allotted to the county under a State-wide contract.

(4) When Forms NCR-664 are submitted by the contractor the tonnages indicated for the respective types of delivery should be entered in the appropriate "Tons delivered" columns and the total of all deliveries shown on on Form NCR-664 included in the total in the "Cumulative tons delivered" column.

(5) If the contract is limited to \$10,000 enter the total value of the orders in the "Value of order" column, subtract the entry from the cash available and enter the result in the "Cash available" column.

(6) For use in preparing Form NCR-969, Monthly Report obtain a total of the number of orders, the tonnage ordered, and the tonnage delivered under each type of delivery. The total tons ordered for all types of delivery should equal the tons ordered in the "Cumulative contract totals" column. The total of tons delivered for all types of delivery should equal the total tons delivered in the "Cumulative contract totals" column.

2. **Form NCR-969, County Liming Materials Report**. This report should be prepared by each county as of the 20th of each month and should be promptly submitted to the State office. As orders for material are received in county offices they will be divided according to types of delivery. They will be listed on Forms ACP-65 and placed with contractors in accordance with anticipated delivery schedules. For use in preparing Form NCR-969 obtain totals by types of delivery of orders on hand not placed with contractors and the quantity of material represented by such orders. The data for orders placed with contractors, amount ordered, and amount delivered will be obtained from Forms NCR-979, Contractor's Progress Record.

3. **Form NCR-993, Report of Purchase Orders**, will be prepared by the county office as of the 20th of each month. For use in preparing the report the county office will maintain a record of the number of purchase orders issued by types of service, extent of practices by types of service, and the cost by types of service. This form will also be used by the State office to furnish the North Central Region with a summary of county reports.

Section VII.—PURCHASE ORDERS AND SERVICES FURNISHED THROUGH COUNTY ASSOCIATIONS

A. REQUESTS FOR MATERIALS OR SERVICES

Form ACP-128 will be used by the county committee in taking requests for materials or services authorized to be furnished under the purchase order plan. The form will be prepared as follows:

1. **Heading.**—The county office will enter the farm serial number and the names of the county and State in the spaces provided.

2. **Section 1.—Farmer's request and authorization by county committee.**—The county committee will:

a. Enter in the spaces provided the name and address of the approved vendor from whom the farmer desires to obtain the service. Federal employees and employees or members of State, county, or community agricultural conservation committees are not eligible to render services requested on purchase orders.

b. Enter following the words "to furnish to" the name and address of the farmer making the request.

c. If the farmer wishes to designate a representative to act for him, enter the name of the designated representative in the space provided. Otherwise, the word "None" should be entered in the space.

d. Enter following the words "Delivery or performance to be made on or about" the approximate date on which the service is to be rendered.

e. Enter in boxes opposite line 1 (a) the kind of material or service (construction of standard terraces, construction of livestock dams, etc.), (b) the words "Specifications in NCR-901," (c) the quantity in cubic yards or linear feet, (d) the unit cost to A. A. A. and the unit cost to farmer, and (e) the total cost to A. A. A. and the total cost to farmer. So that these entries may be made, divide the "Per unit" column and the "Total" column into an upper and lower half, and type the letters "AAA" in the left-hand portions of the upper halves, and the word "Farmer" in the left-hand portions of the lower halves. The unit cost to A. A. A. will be the credit rate for the practice or the cost of the service, whichever is smaller. The total cost to A. A. A. cannot exceed the allowance available for the practice to be performed.

f. No entries will be made in the boxes opposite line 2 until the form is returned to the county committee for certification for payment.

g. The words "This purchase order not valid after December 31, 1945," should be typed in the space just above the double line at the bottom of Form ACP-128.

h. The farmer and a representative of the county committee will sign Form ACP-128 in the spaces provided and it should be dated.

i. The farmer will deliver Form ACP-128 to the vendor.

B. COMPLETION OF SERVICE

1. After all services covered by the purchase order have been rendered, the Form ACP-128 will be further completed by the vendor and farmer as follows:

a. Section 2, Certificate of Delivery and Vendor's Application for Payment, will be completed to show the quantity and type of service rendered.

b. The farmer will affix his signature in the space provided and date the form.

c. The vendor or his representative will affix his signature in the space provided.

2. **Distribution of Form ACP-128 by vendor.**—The vendor will detach and retain the green copy of Form ACP-128 and will transmit the original and pink copy to the county committee. The Form ACP-128 shall be submitted promptly by the vendor to the county committee, and as far as possible not later than the last day of the month during which the service was rendered.

C. SERVICES FURNISHED THROUGH COUNTY ASSOCIATION

1. Form ACP-64, Request for Conservation Material or Service, will be used for requests for services for which use of the form is approved by the North Central Region as listed in NCR-901, Committeeman's Handbook.

2. Form ACP-64 will be prepared in accordance with the instructions in section VI, paragraph A, subparagraph 1 of this procedure, except that the total cost of the service will be shown as "Cost to AAA."

3. Distribution of Form ACP-64.

a. The original and first copy of the form should be delivered by the county office to the county association employee who is to perform the service.

b. The second copy of the form should be filed in the county office as a record of Forms ACP-64 in the hands of the county association employees.

4. Completion of service.

a. When the service has been rendered, the county association employee will complete the receipt portion of the original Form ACP-64 and obtain the signature of the farmer in the space provided.

b. Both copies of Form ACP-64 should be forwarded to the county office with the county association employee's report.

5. Handling of forms ACP-64 in county offices after services have been completed.

a. The county office will check Forms ACP-64 for completeness of entries and correctness of computations. (If the quantity of service rendered differs from the amount of service shown on Form ACP-64, correct the original and duplicate copy to correspond to the quantity of service rendered.)

b. The copy of Form ACP-64 filed in the county office as a record of forms in the hands of county association employees should be removed from the file.

6. Distribution of form ACP-64 by county committee.

a. The original copy of Form ACP-64 will be filed in the County Record of Indebtedness File.

b. The county committee will transmit the first carbon copy of Form ACP-64 to the farmer for whom the service was performed together with a copy of the report of the county association employee who performed the service.

7. Payment of county association employee.

a. Payment of the county association employee who performed the service will be made from county association funds in accordance with existing procedure. The expenses incurred by county association personnel in furnishing services through the county association will be recorded on the summary of expenses, Form NCR-County 13, line 15.

Section VIII.—COUNTY OFFICE PROCEDURE—SUPERPHOSPHATE OR OTHER APPROVED FERTILIZERS

[Material not furnished under purchase orders shall be handled and distributed by local dealers unless the county committee receives permission from the State office to continue their present method of handling and distributing]

A. Forms ACP-65, ACP-64, and ACP-67 shall be used in ordering superphosphate from the State office.

B. Forms ACP-65, ACP-64, and ACP-67 shall be prepared as set forth in section VI, Ordering Liming Materials by Rail, except:

1. As modified below by C, Dealer Handling of Superphosphate.

2. Forms ACP-65 shall be prepared at the end of each month and forwarded to the State office until the entire amount receipted for on a particular Form ACP-67 is accounted for.

C. DEALER HANDLING OF SUPERPHOSPHATE

1. County offices will enter into contracts with local dealers for receiving, distributing, and storing superphosphate and raw rock phosphate. Form NCR-908, Handling and Distribution Contract, will be used for this purpose.

2. **Placing of orders by county committee.**—The county office will order material from the State office by means of Form ACP-65 showing the dealer as consignee. When the order has been placed by the State office and the original copy of Form ACP-65 has been returned to the county office, the county office will notify the dealer that the order has been placed and will furnish him with the approximate date he may expect the car to arrive.

3. **Form ACP-67, Receiving and Inspection Report.**—As soon as possible after receipt of a carload of material, the dealer shall determine the amount and condition of the material received and shall submit the original and two copies of Form ACP-67, Receiving and Inspection Report to the county office not later than two days after the car is unloaded. The county office shall examine the form to see that it has been properly completed, detach one copy, forward one copy to the State office and transmit the original directly to the Control Accounts & Audit Section, Agricultural Adjustment Agency, 1037 North High Street, Columbus 1, Ohio. Any correspondence regarding Forms ACP-67 transmitted to the Control Accounts & Audit Section by county offices should be between the Control Accounts & Audit Section and the State offices.

4. **Form ACP-64, Request for Conservation Material or Service.**—The county office will take orders from farmers on Forms ACP-64, Request for Conservation Material or Service. If the material is at the warehouse at the time the Form ACP-64 is signed by the farmer, the original and both copies of the form may be given to the farmer for him to take to the dealer. One copy may be retained by the farmer, but the original and one copy of the form shall be signed by him and turned over to the dealer. If the material is not available at the time the ACP-64 is signed by the farmer, a copy thereof shall be given to the farmer and, when the material has been ordered by the State office, the original and one copy shall be forwarded to the dealer so that he may notify the farmer when the material arrives. When the material is delivered the dealer shall obtain the farmer's receipt therefor on Form ACP-64.

5. **Record of ACP-64's in hands of farmers or dealers.**—The county office shall maintain a record of Forms ACP-64 in hands of farmers and dealers.

6. **Receipted Forms ACP-64.**—The contractor shall promptly submit to the county office receipted Forms ACP-64. Once each month such deliveries shall be summarized by the county office on Form ACP-65, the original of which shall be submitted to the State office. The

copies shall be retained in the county office files. The first summary of deliveries shall be on the original copy of the ACP-65 ordering the material from the State office, and the copy to be retained by the county office shall be on the copy retained in the county at the time the order was placed. In months other than the one covered by the first summary new copies of the form shall be utilized. Two copies of the form are extra in these cases and may be used in any manner the county may see fit.

7. Failure of farmer to call for material.—When a farmer fails to call for material he has ordered within fifteen days after he has been notified of its arrival by the dealer, the dealer shall return the ACP-64 promptly to the county office. This order may not be placed again with the dealer until after all orders on hand in the county office at the time it is returned have been placed with the dealer.

8. Inspection of material.—The county office will periodically inspect and take an inventory of the material in storage.

9. Billing by dealer.—The contractor will bill the association at the end of each month for handling material delivered to farmers during the month.

10. Cash collections.—The contractor will collect from the farmer at the time of delivery the amount shown on Form ACP-64 as the amount the farmer agrees to pay at time of delivery. The contractor will be responsible for such funds collected and must account for the funds covered by the applicable receipted ACP-64's when they are turned over to the county association.

11. Preparation of Form NCR-908, Handling and Distribution Contract:

a. Form NCR-908 shall be prepared in duplicate. The form shall be prepared to show the name and address of the County Agricultural Conservation Association, the name and address of the dealer with whom the contract is made, the point to which the shipments are to be sent, the handling cost per bag of 100 pounds, the address of the warehouse, and the period of time covered by the contract.

b. Both copies of the contract shall be signed by the dealer and by the chairman of the county committee, and then forwarded to the State office for approval. A representative of the State office, if the contract is satisfactory, shall sign both copies of the contract and enter the date of approval thereon. Both copies shall then be returned to the county office. The State office will maintain a record of approved contracts.

c. The original of the contract shall be filed in the county office and the copy thereof sent to the dealer.

Section IX.—STATE OFFICE PROCEDURE

A. FOR RAIL DELIVERIES OF LIMING MATERIALS AND SUPERPHOSPHATE

1. Upon receipt of the original and one copy of Form ACP-65 from the county office, the State office shall assign an Aaa number. Numbering shall be in the chronological order of receipt of Forms ACP-65 from the counties.

2. A register of Aaa Request for Shipment numbers will be maintained by the State office. Aaa numbers should be assigned to Forms ACP-65 in consecutive order beginning with number 1 and preceded by the symbol Aaa and State code—for example: Aaa-33-1, Aaa-33-2,

etc. In assigning Aaa numbers particular care should be exercised to avoid duplication. Continue the same series of numbers used during 1944.

3. At the time Form ACP-130 is prepared and forwarded to the contractor, the State office shall complete the applicable items at the top of the form. If the date desired by the county is different than the approximate date of delivery, this date should be corrected on Form ACP-65.

4. The original Form ACP-65 should be returned to the county office and the carbon copy retained in the State office.

5. Form ACP-130, Request for Shipment.—This form will be prepared by the State office from Forms ACP-65 received from the county office in the following manner:

a. Enter the applicable year in the space provided to the left of the word "Program."

b. Enter the name of the city and State in which the State office is located in the space provided for State office.

c. On the line provided for the date enter the date on which the form is forwarded to the contractor.

d. On the line identified by "To:" enter the name and mailing address of the contractor.

e. Immediately to the right of the words "You are requested to furnish" enter the total amount and complete description of the material and the contractor's shipping point. For example: " tons of 20 percent bagged superphosphate, f. b. b., Detroit, Mich."

f. In the space to the left of the word "For" enter "During January 1945" or whichever month and year is applicable.

g. In the space to the right of the word "For" enter the name of the State.

h. In the space to the right of "Contract No. Als" enter the contract number. In the case of limestone delete "Als" and enter the limestone contract number.

i. In the body of the form make entries from Form ACP-65 as follows:

Name—Name of county.

Code—County code number.

County No. Aaa—Aaa request for shipment number.

Tons—Total tons covered by the order.

Bill of lading No.—Number of the bill of lading covering the shipment.

For delivery to or Railroad Destination—Final carrier (when necessary) as requested by the county (destination will be shown on bill of lading).

Delivery date desired—Date delivery desired in county.

Remarks—Leave blank.

j. If more than one set of forms is required to list all orders for a particular month's allocation from a particular contractor, the sheet totals and cumulative totals should be entered only on the carbon copies.

k. The form shall be signed by an authorized person in the State office.

1. Distribution.—The original shall be forwarded to the contractor together with the related partially completed bills of lading. The yellow copy shall be retained by the State office. The blue copy, covering orders for superphosphate or rock phosphate, shall be forwarded to the North Central Region. The pink copy is extra and may be used by the State office for any purpose they see fit. It will not be necessary to prepare a letter of transmittal for forwarding copies of the form to the contractor or to the North Central Region.

m. The State office should use the yellow copy as a record of the date shipment was received, date ACP-67 was received from the county, and shortage shown. No entry will be made by the State office in the column headed "To audit".

6. Government bills of lading.—The instructions in our memorandum of May 19, 1944 (CM-44-6) will remain in effect covering the preparation of bills of lading which were printed with only four memorandum copies. The following instructions will apply when the re-diset has been printed with five memorandum copies.

a. Bills of lading consist of the following:

- (1) An original U. S. Government Bill of Lading (Form 1103).
- (2) A shipping order (Form 1104).
- (3) A U. S. Government Freight Waybill original (Form 1105).
- (4) A U. S. Government Freight Waybill—carrier's copy (Form 1106).
- (5) Five memorandum copies of the U. S. Government Bill of Lading (Form 1103a).

b. The bills of lading should be prepared as follows:

- (1) Make no entry in the space "Name of initial transportation company."
- (2) Make no entry on the line "Stop this car at for ."
- (3) On the line marked "Consignee" enter the name of the consignee and the consignee's address.
- (4) On the line marked "Destination" enter the actual point of delivery.
- (5) On the line marked "Via" enter the words "Forward via the most direct route." After the words "Forward via the most direct route," enter the name of the delivering carrier, provided more than one carrier serves the destination and shipment is to be consigned to a point located on a siding to which only one carrier can effect delivery. In other cases, no delivering carrier should be designated. If the delivering carrier is to be designated, the entry should be made in the following manner: (C. B. & Q. delivery.)
- (6) Make no entry after the words "Pick-up service at origin." In the space marked "Date B/L issued," enter the date the bill of lading is issued.
- (7) On the line marked "From (shipping point)" enter the address of the plant furnishing the material.
- (8) On the line marked "From (full name of shipper)" enter the name of the company with whom the order is being placed.
- (9) On the line marked "Appropriation chargeable" enter the applicable appropriation number, the account symbol number, the point symbol number, the State and county code, and the Aaa order number.
- (10) On the line marked "Issuing office" enter the name of the State followed by "Agricultural Conservation Committee."
- (11) On the line marked "Name and title of issuing officer" enter the name and title of the person designated to issue bills of lading.
- (12) In the block for the certificate of issuing officer enter on the line for the "Contract No. or purchase order No." the number of the contract under which this material will be shipped.
- (13) Enter after the word "Dated" the date the contract was awarded.
- (14) On the line marked "F. o. b. point named in contract" enter the address of the point from which the material will be shipped.
- (15) The person designated to sign bills of lading should sign on the line marked "Signature of issuing officer."
- (16) No further entries should be made.
- (17) On the memorandum copy of the bill of lading bearing the footnote "When signed by originating carrier's agent forward to:" enter by means of a rubber stamp the name and address of the issuing office.

c. Distribution of U. S. Government Bill of Lading.—(1) The last memorandum copy of the bill of lading set should be removed by the issuing office, and the remainder of the set transmitted with Form ACP-130 to the contractor. The copy retained should be filed in the State office

d. Duties of contractor.—(1) The contractor receiving the bill of lading will complete it when the material is being shipped and distribute the copies in accordance with instructions on the forms.

e. Duties of consignee.—

- (1) The consignee will retain the original and the memorandum copy of the bill of lading mailed to him by the contractor pending receipt of the shipment.
- (2) When the material arrives the consignee will check the amount and condition of the shipment, and in the case of loss, damage, or shortage, will complete the Report of Loss, Damage, or Shortage on the reverse of the original bill of lading. Form ACP-67, Receiving and Inspection Report, should be completed as soon as possible to cover each shipment. In every case the reports of loss, damage, or shortage on the bill of lading and on Forms ACP-67 should be identical.

f. Standard Form 1107, Temporary Receipt in Lieu of U. S. Government Bill of Lading, may be used by the consignee to obtain delivery from the carrier in the event a bill of lading is lost.

g. Standard Form 1108, Certificate in Lieu of Lost U. S. Government Bill of Lading, shall be issued, in event the original bill of lading is lost, by the office which prepared the original bill of lading.

7. ACP-88 or ACP-88 (revised), Oath of Office.—The person designated by the county office as consignee must have executed an ACP-88 or ACP-88 (revised), in order to be eligible to act in this capacity, unless such person has signed a dealer handling contract (Form NCR-908).

8. Form NCR-982, State Superphosphate Record.—The State office will maintain on this form a record of the distribution of shipments of superphosphate, defluorinated or raw rock phosphate. All balances on NCR-882 at the end of the 1944 program should be transferred to Form NCR-982 for the 1945 program. Forms ACP-65 shall be posted to this record each month as received from the counties. Particular care should be taken to see that counties distribute the material in the order of its receipt in the counties.

9. Form NCR-983, State Record of Contractor, will be used by the State office to maintain a record of liming material furnished under each contract. This form will be mimeographed by the State offices on a 5 by 8 inch card. Instructions for use of this form are as follows:

a. State offices will maintain a card for each contractor by counties and alphabetically by contractors within the county.

b. All information concerning the contractor and the accepted prices should be entered on the card at the time the award is made.

c. If the contract is limited to \$10,000, \$10,000 should be entered in the space headed "Limited."

d. After Forms NCR-664, Contractor's Delivery Summary, are checked in the State offices, the following information should be entered on Form NCR-983:

(1) Enter the total tons covered by the NCR-664 in the column headed "Total tons NCR-664."

(2) Enter this quantity in the column provided for the applicable type of delivery.

(3) Subsequent entries for that same type of delivery should be added to the last total shown and the new total entered.

(4) Enter the total amount of money shown on the NCR-664 in the column headed "Value of NCR-664," subtract from \$10,000, and enter the result in the column headed "Amount available."

(5) Enter the voucher number and the date of NCR-664 in the columns provided.

(6) When all spaces on the front of the card have been used, the totals and balance remaining should be carried forward to the reverse side of the card and subsequent entries continued thereon.

For f. o. b. rail shipments, the above information will be obtained from Forms ACP-67, "Receiving and inspection report," and from Standard Form 1034 prepared for the shipments.

10. Form NCR-970, State Conservation Materials Report, should be prepared by each State office and forwarded to the regional office as soon after the 1st of each month as possible.

11. State record of liming material orders placed.—The State office copies of Forms ACP-65 received from counties will be used by the State office to maintain a record by counties, contractors, and types of delivery of orders placed. As each Form ACP-65 is received from the county office, the total tons ordered will be added to the previous cumulative tons ordered for the same type of delivery

from the same contractor, and the new cumulative total will be entered in the space below the words, "Cumulative to date," on the front copy of each group of Forms ACP-65. The latest group of Forms ACP-65 received from the county should always appear first in the file so that cumulative figures will be readily available. The State office will make periodic checks of orders placed by counties with contractors to ascertain that counties are placing orders in accordance with contractors' anticipated delivery schedules and so that each contractor's deliveries as indicated on Form NCR-983, may be compared with orders placed with him.

B. ALLOCATION OF LIMING MATERIAL PROCURED UNDER STATE-WIDE CONTRACTS

1. The State office will allocate to counties, material procured under State-wide contracts, and in doing so will give consideration to estimated county requirements as indicated on Form NCR-965, locations of quarries, and contractors' monthly offerings.

Section X.—PAYMENT TO VENDORS UNDER CONTRACTS AND PURCHASE ORDERS

A. GENERAL PLAN

1. **Other than rail deliveries.**—Vouchers will be prepared in the State office from contractor's delivery summaries for other than rail shipments for conservation materials furnished under contracts awarded by the State contracting officer, and for services furnished under the purchase order plan.

Public Voucher, Standard Form 1034, will be prepared and scheduled on Standard Form 1064, certified, and forwarded directly to the Regional Disbursing Office for payment.

2. Rail deliveries:

a. Vouchers for rail shipments for material furnished under contracts awarded by the State contracting officer will be prepared in the State office.

Form ACP-67, Receiving and Inspection Report, will be received in the State office and checked against the State office copy of the related Form ACP-130, Request for Shipment, to determine that the actual amount ordered was received in a satisfactory condition. The State office will prepare Public Voucher, Standard Form 1034, and mail it to the contractor for signature. When the signed voucher is returned to the State office, it will be scheduled on Standard Form 1064, certified, and forwarded to the Regional Disbursing Office for payment. Instructions for submitting vouchers and related papers will be furnished by the Washington office to contractors for contracts awarded by the Washington office.

b. Vouchers for rail shipments for material furnished under contracts awarded by the Washington office will be prepared by the contractor and submitted to the Control Accounts and Audit Section, Agricultural Adjustment Agency, 1037 N. High St., Columbus, Ohio.

B. CHECKING NCR-664 AGAINST CONTRACT

The county office should determine:

1. That the name of the contractor appearing on NCR-664 is exactly the same as the name of the contractor appearing on the contract. If they do not agree, and it is ascertained that the name as shown on the contract is in error, a statement requesting correction of the name as appearing on the contract should be obtained from the contractor. This statement should be forwarded to the Chief, Contract Examining Section, General Accounting Office, Washington, D. C.

2. That the contract number appearing on NCR-664 is the same as that appearing on the contract.

3. That the unit prices per township are the same as the unit prices shown as "Net payment to contractor," in the contract for "Delivered to farm" and "Delivered to farms and spread on fields," types of delivery. The unit prices for other types of delivery should be the same as the accepted contract prices.

4. That deliveries were made only in townships authorized by the contract.

5. **Checking Form NCR-664.**—The county office should determine:

a. That the names of the State and county are shown.

b. That the township name, the farm number, and the complete name of each producer receiving material are shown.

c. That any changes or erasures have been initialed by the payee or his representative.

d. That column 6 of Form NCR-664 multiplied by column 7, 9, or 11, equals the total cost shown in column 8, 10, or 12, and verify column totals. That column 5 of Form ACP-6S-B, multiplied by column 6, 8, or 10, equals the total cost shown in column 7, 9, or 11, and verify column totals.

e. That date of delivery on Forms NCR-664 is not earlier than date of award. Payment cannot be made for material delivered prior to date of award.

f. That the signature of the contractor or his representative appears on the face of the form under the certification:

I certify that the above bill is correct and just; that payment therefor has not been received; that all statutory requirements as to American production and labor standards, and all conditions of purchase applicable to the transactions, have been complied with; and that State or local sales taxes are not included in the amounts billed.

g. The State office shall verify the computations on Form NCR-664.

C. HANDLING OF PURCHASE ORDERS IN COUNTY OFFICES AFTER SERVICES HAVE BEEN COMPLETED

1. The county committee will check purchase orders submitted for payment to determine the following:

a. That the quantity of materials or services and total cost to A. A. A. are shown in the space provided in Section 2. (If the quantity rendered differs from that shown on line 1 of Section 1 enter the quantity actually rendered in line 2 (c) and enter the new total on line 2 (e). If the total on line 1 (e) is correct, enter the same amount on line 2 (e).)

b. That the total cost to A. A. A. of the material or service furnished does not exceed the total amount of allowance available for the practice.

c. That section 2 is signed by the vendor furnishing the material or service, or his representative.

d. That section 2 is signed in the space provided by the farmer requesting the material or service.

e. That the date is entered in the space provided in Section 2.

2. The county committee will determine whether the vendor has complied with minimum specifications.

3. The county committee will prepare Forms RF-12, Record of Indebtedness, for the cost of the material or service rendered and file it in the indebtedness file. The RF-12 should be completed to show the program year in which the material or service was rendered, the type of material or service, the number of units, the rate per unit, and the total cost to A. A. A.

4. When the necessary verifications and entries have been made, a member of the county committee will date and sign the "Certificate of County Committee" in section 3 of Form ACP-128.

5. Distribution: The county office will file the pink copy of Form ACP-128 in the pertinent farm folder, and transmit the original Form ACP-128 to the State office for payment.

D. PREPARATION OF PUBLIC VOUCHERS, STANDARD FORMS 1034 IN THE STATE OFFICE

1. Standard Form 1034, revised May 26, 1938, should be used.
2. Prepare original and one memorandum copy, 1034a.
3. Leave blank space headed "D. O. vou. No."
4. In the blank headed "Bu. vou. No." enter the bureau voucher number, established as follows: Each State should establish a register of voucher numbers, prefixed by the State and county code numbers, and followed by a serial number. This number, beginning with the figure "1" and following numerically, will be shown on all copies of the vouchers prepared and on all copies of Forms NCR-664, ACP-128, or other supporting forms. For example, if the first voucher to be certified covers deliveries of liming materials or rendering of services in Adair county, Missouri, the bureau voucher number will be 44-001-1 and the second voucher number covering deliveries of liming materials or services in Adair county, Missouri, might be 44-001-23.
5. On line headed "U. S." insert "Department of Agriculture, AAA." Department of Agriculture has been printed on some voucher forms and "AAA" omitted. Be sure to include "AAA."
6. On line headed "Voucher prepared at" enter the name of the city in which the State office is located and the date of preparation.
7. On line headed "The United States, Dr." "To" enter the name of the payee as shown on Form NCR-664, or ACP-128. For rail deliveries the contractor's name will be shown in this space exactly as shown on Standard Form 33.
8. On line headed "Address" enter the address of the payee.
9. Leave blank the space following "Payee's account No."
10. Leave blank the block headed "Paid By."
11. Leave blank the block headed "General Accounting Office pre-audit."
12. In the space headed "Terms ----- Discount cash ----- days," enter the percentage and the number of days in which the discount is effective, if the contract or purchase order provides for a discount.
13. Leave blank the column headed "No. and date of order."
14. In the column headed "Date of delivery or service," indicate the dates of the period covered by Form NCR-664, or ACP-128. For rail deliveries indicate the date the material was received in the county as shown on Form ACP-67.
15. In the column headed "Articles or services," describe the material furnished. This description must be sufficient to identify the material or services furnished as being the same as covered by the contract or purchase order, i. e., ground limestone, marl, paper mill refuse lime, construction of livestock dams, etc. "Liming materials" or other general descriptive phrases are not acceptable.
16. In the column headed "Quantity" enter the number of tons, cubic yards, or linear feet, whichever is applicable, as shown on Form NCR-664, or ACP-128 (more than one ACP-128 from the same county at the same unit price may be listed on one voucher).

17. Make no entry in the column headed "Unit price," subheaded "Cost" in the case of liming materials. The unit cost should be entered in the case of material or services furnished under purchase orders.

18. Make no entry in the column headed "Unit price," subheaded "Per," in the case of liming materials. Enter "Cubic yards" or "Linear feet," whichever is applicable in the case of services furnished under purchase orders.

19. In the column headed "Amount," enter the total amount claimed as shown on Form NCR-664, or ACP-128.

20. For deliveries by rail only, the following certification must appear written across the face of the voucher, "I hereby certify that the above bill is correct and just; that payment therefor has not been received; that all statutory requirements as to American production and labor standards, and all conditions of purchase applicable to the transactions have been complied with; and that State or local sales taxes are not included in the amounts billed."

21. For deliveries other than by rail, it is not necessary to insert the above certification.

22. In the blank headed "Shipped from" show the shipping point as stipulated in the contract. This information need only be supplied where a claim is made for f. o. b. quarry type of delivery.

23. The spaces headed "To," "Weight," and "Government B/L No." will be completed only when rail deliveries are made.

24. The space headed "Total" under column "Amount" will indicate the total amount of money claimed.

25. The space headed "Payee":

a. For deliveries other than rail, enter "See Form NCR-664, or ACP-128 attached," whichever is applicable.

b. For rail deliveries only, payee's signature or signature of his authorized representative must appear in this space.

(1) In cases where an authorized representative of the payee signs in this space, the signature should be made on the line headed "Per" and his title indicated on the blank headed "Title."

(2) For other than rail deliveries the signature of the payee is not required on Form 1034 since the payee's signature will appear on Form NCR-664, or ACP-128.

26. Complete block headed "Differences".

a. If a "Difference statement" is issued, deduct the amount of such difference from the total amount of the voucher and place the result in the space "Account verified; correct for."

b. If a discount is offered, place the word "Discount" opposite the amount of the discount in this space, and deduct the amount of such discount from the total amount of the voucher, and place the result in the space "Account verified; correct for."

27. Leave blank the line headed "(Signature or initials)."

28. In the blank headed "Contract No." and "Date" enter the contract number and date of contract. In the case of purchase orders, enter the words "Purchase order" and the date the purchase order was issued.

29. Leave blank the spaces headed "Req. No.", "Date", and "Invoice rec'd."

30. In the space headed "Approved for-----" enter the amount of money for which the voucher is finally approved. This

amount must agree with the amount shown opposite "Account verified; correct for."

31. The line opposite "(Sign original only)" is reserved for the signature of the certifying officer and his title.

32. In the block headed "Accounting classification" insert the appropriation and the account symbol number, point code number, and the appropriation title.

a. The appropriation number, the account symbol number, point code number, and the appropriation title to be used for materials or services furnished under the 1945 program prior to July 1, 1945, will be as follows:

(1) Appropriation No.....	125/62215 (21). 031
(2) Account Symbol No.....	0665
(3) Point Code No.:	
(a) Liming materials.....	.6
(b) Superphosphate.....	.2
(c) Construction of livestock dams.....	.14
(d) Construction of terraces.....	.8
(e) Construction of farm ditches.....	.16
(f) Raw rock phosphate and basic slag.....	.3

b. You will be notified of the appropriation number to be used for deliveries on and after July 1, 1945, when it is assigned.

c. The date on which a shipment is to be shipped will govern the appropriation number to appear on the bill of lading.

33. Mailing Slip, Form AD-105, should be completed as follows and attached to the original of the voucher:

a. On line above (Bureau office) enter "Agri. Adj. Agency," followed by the name of the State office.

b. Leave blank the space following "Department's purchase order No."

c. In the space following "Place of delivery or service" enter the name of the county to which the material was delivered or in which the services were furnished.

d. Leave blank the space following "Payee's reference No."

e. In the space following "Date or period," enter the dates of the period covered by the voucher.

f. The block reserved for the address should show the name and address of the payee exactly as is shown on the face of the voucher.

E. DISCOUNTS

1. Claims submitted by contractors offering a discount must be given special handling in order that payment can be made within the discount period. In the event a discount is lost due to improper handling, it will be necessary for the certifying officer to prepare a statement explaining the reason for such loss. If this explanation indicates negligence on the part of the employees handling the vouchers, it will be necessary that the responsibility be fixed and the Government reimbursed for the discount lost.

2. Discount periods will be figured from the date a properly executed invoice Form NCR-664, ACP-128, or voucher is received in the county office for other than rail shipments. In the case of rail shipments the date the material is received at the destination as evidenced by Form ACP-67 will be used. If it becomes necessary to return the claim to the contractor due to the fact that the claim has not been properly submitted, due to his error, or if there is a delay on the contractor's part in returning the voucher, the discount period will begin upon receipt of the correct form in the county or State office as the case may be.

3. In compliance with requests of the Treasury Department to pro-

vide a uniform method for the submission of discount vouchers to the Division of Disbursement for payment, and to guard against loss of cash discounts, the Office of Budget and Finance has issued the following instructions:

- a. Expedite handling of discount vouchers in order that such vouchers may be forwarded to the proper disbursing officer sufficiently in advance of the date the discount period expires to enable payment on or before that date.
- b. Schedule cash discount vouchers separately from other vouchers.
- c. Utilize Treasury Form No. 426 (prescribed by the Treasury Department) for use as a standard notification to be attached to all Schedules of Disbursements (Standard Form 1064) which normally covers the voucher(s). The final discount date should be inserted in the space provided on Form No. 426.
- d. More than one discount voucher may be included on the same schedule provided there are not more than three days separating the earliest and latest discount periods. Where more than one voucher is included on a single schedule, the discount notice (Form No. 426) should indicate the earliest expiration date of the discounts involved.

F. DEDUCTIONS ON VOUCHERS

1. Reasons for making deductions.—

- a. When Form NCR-664 claims payment for more material than is receipted for on NCR-663.
- b. When contractor claims at a rate in excess of that stipulated by contract, or in the case of purchase orders at a rate in excess of the fair price established or the portion thereof payable by the Government.
- c. When shortages in material are reported for which the contractor is definitely responsible. (Shortages for which the carrier is responsible should not be deducted from the contractor's bill.)
- d. Materials or services which do not meet specifications.

2. Method of making deductions.—

- a. In all cases where the audit reveals that a bill will be certified in an amount different from the amount claimed, a "Difference statement," Form NCR-974 (referred to in above procedure as "Difference statement," with no reference as to form number), will be prepared in triplicate, describing the deduction made on the face of the voucher.

- b. This form will be completed as follows:

- (1) Enter payee's name exactly as it appears in the contract and on the voucher.
- (2) Enter the period of voucher or date of service.
- (3) Enter the date of preparation.
- (4) Enter the amount claimed.
- (5) Enter the amount certified.
- (6) Enter the amount deducted. This difference must be supported by the computation by which the approved amount is derived, the explanation of the error, or a statement of the circumstances or conditions upon which the deduction is based.
- (7) The authorized certifying officer will sign in the space designated.

- c. Distribution of "Difference statement":

- (1) Original should be attached to the voucher to accompany it through the payment procedure.
- (2) One copy mailed direct to payee.
- (3) One copy to be attached to the copy of the voucher remaining in the State office.

G. PREPARATION OF STANDARD FORM NO. 1064, REVISED

1. Standard Form No. 1064, revised, hereinafter referred to as Form 1064, will be used in scheduling the vouchers.
2. Prepare Form 1064 in quintuple (original and four copies).
3. Enter in the space above the words "Department or establishment" the word "Agriculture."

4. Enter in the space above the words "Bureau or office" the letters "AAA" and the name of the State office.

5. Enter in the space following the word "By" the name of "G. F. Allen."

6. Enter in the space above the words "Title or rank" the words "Chief disbursing officer."

7. Enter in the space above the word "Station" the name of the city and State in which the regional disbursing office is located.

8. Enter in the space following the word "Period" the name of the month in which it is expected that the payments scheduled on Form 1064 will be made.

9. Enter in the space following the words "Symbol No." the symbol number of the assistant disbursing officer. The symbol numbers are:

<i>Regional Disbursing Office</i>	<i>D. O. Symbol No.</i>
Chicago, Illinois	107-2350
Cleveland, Ohio	104-2350
St. Louis, Missouri	108-2350
Kansas City, Missouri	110-2350
Minneapolis, Minnesota	109-2350

10. Enter in the space following the words "Bureau schedule No." the Bureau schedule number. Assign number "1" to the first set of forms and assign consecutive numbers to succeeding sets of such forms. The schedule number is then preceded by an identification of the applicable program, that is, "45-CM-1." This will indicate that the schedule covers vouchers being certified for the 1945 Conservation Materials Program.

11. Enter in the space following the word "Date" the date of preparation.

12. Make no entries in the first two columns.

13. Enter in the column entitled "Bureau or office voucher No." the administrative number shown on each sheet of the Form 1034 covered by Form 1064.

14. After entering the administrative number for a public voucher, enter on the same line in the column entitled "payee" the full name of the payee exactly as it appears on both the contract and the face of the voucher.

15. If the voucher being scheduled offers a discount, the capitalized words "LAST DISCOUNT DATE" shall be entered directly under the name of the payee and underlined. Immediately below "LAST DISCOUNT DATE" enter the date such discount will expire.

16. Enter in the column headed "Symbol of appropriation or fund" the symbol of the applicable appropriation. (Do not insert the account symbol number. The symbol number of the appropriation need not be repeated.)

17. Enter in the column entitled "Amount" the "Approved for \$-----" amount shown on the voucher.

18. Enter the word "Total" on the last line of Form 1064, and enter the total of the amounts in the column headed "Amount."

19. Enter at the bottom of the form above the word "Title" the title of the certifying officer.

20. The original form 1064 shall be referred to the State accountant to be stamped "Funds available" after which the certifying officer shall sign the original of the form.

H. DISTRIBUTION OF FORM 1064 AND SUPPORTING FORMS

1. Forward the original and two copies of Form 1064 to the regional disbursing office, together with the original vouchers, Forms 1034, original of the Contractor's Delivery Summary, Forms NCR-664 or Forms ACP-128, and be sure that the Mailing Slips, Forms AD-105, are attached to each voucher.

2. Forward one copy to the State accountant.

3. Retain one copy in the scheduling unit.

4. When a copy is returned from the disbursing office, the scheduling unit should transfer the additional information which has been placed on the form by the disbursing office to their file copy of the schedule. The form returned by the disbursing office should then be forwarded to the State accountant.

I. ASSIGNMENT OF PAYMENTS

1. Under the "Assignment of Claims Act of 1940" an assignment of money due or to become due under a public contract involving payments of \$1,000 or more may be made to banks, trust companies, or other financial or lending institutions. The Act does not authorize assignment of the contract itself, and irrespective of an assignment by a contractor of the money due or to become due, the contractor is charged with the duty of performing the contract in accordance with its terms. It, therefore, is the responsibility of the contractor to execute certificates on vouchers, invoices, etc., as required by the contract. In this connection, no money is due and payable by the United States until such certificates are executed by the contractor, and since it is his responsibility to establish that an amount is due and payable under the contract, it is not necessary to obtain a certification in that respect from the assignee.

2. In assignment cases, two sets of the "Notice of assignment," CM-41-5A (original and three copies) should be executed by the assignee in accordance with the instructions on the reverse side thereof. A true copy of the instrument of assignment should be attached to each set of the "Notice of Assignment." One set should be addressed to the General Accounting Office, Washington, D. C., and the other should be addressed to the contracting officer, to be retained in the State office. The three copies with the receipts properly signed by the contracting officer shall be returned to the assignee. One copy of each receipt returned to the assignee should be retained by him for his own records, and two copies of each such receipt should be attached to the first voucher submitted for payment. One copy of each such receipt should be retained in the State office, and the other copy of each such receipt should be forwarded with the original voucher.

3. A true copy of the instrument of assignment may consist of:

a. A duplicate original containing all signatures, seals, acknowledgments, etc., which appear on the original.

b. A complete photostatic copy of the original, or,

c. An accurate and complete copy including signatures, seals, acknowledgments, etc., which may be typewritten, provided such copy is certified as being a true copy by a notary public or other officer authorized by law to administer oaths.

4. It is not necessary for the assignee to make a specific claim under a valid assignment for an amount established to be due and payable under a particular contract. In order to insure that payments are

properly made, to prevent frauds against the United States, and to protect the rights of all parties involved, it should appear from an examination of the voucher and Form NCR-664 that the contractor recognized the assignment, its validity, and the right of the assignee to receive the payment.

5. In assignment cases the name of the assignee should be entered in the space for the payee at the top of the voucher in the following manner: Joe Doe (assignee, authorization filed). The contractor shall not be required to sign the voucher if the following or similar statement has been entered by him on Form NCR-664 "Payment for this material shall be made to _____, assignee, whose address is _____." This statement shall be entered at the bottom of Form NCR-664 immediately above the space for the contractor's name. If this statement has not been entered on Form NCR-664 the contractor should sign the certificate on the voucher in the space provided for the payee's signature below the certification relative to performance and payment. The notation "See Form NCR-664," may be inserted in the blank space after the contractor's signature.

6. No form will be provided for making assignments. Any instrument of assignment containing in substance the following wording will be acceptable:

"I hereby assign the moneys due or to become due me under Contract No. _____ dated _____, to _____, whose address is _____. This assignment is made pursuant to the Assignment of Claims Act of 1940."

7. The assignment should be signed and dated by the contractor making the assignment, and his signature should be witnessed.

J. ALTERNATE METHODS

If a contractor does not desire to make an assignment which may be operative for the duration of the contract, he may—

1. Submit to the State office a request that checks drawn in his favor be mailed in care of any designated addressee. This request may be canceled at any time on written request of the contractor.

2. Give a power of attorney by executing two Treasury Department Forms 6569, "Power of attorney by the individual for the collection of checks drawn on the Treasurer of the United States." One copy of the form will be retained by the assignee and the second copy may be presented with the first check or forwarded directly to the Treasurer of the United States, Washington, D. C. This power of attorney may be revoked by the contractor at any time by giving proper notice to the Treasury Department.

K. PAYMENTS TO ESTATES OF DECEASED CONTRACTORS

In cases where the contractor is deceased and there is an amount outstanding or a check has been issued but not negotiated for deliveries of materials prior to the date of death, the following procedure is applicable:

1. The administrator or executor, as the case may be, shall execute Standard Form 1055, attaching his letters of authority, showing thereon that such authority is still in full force and effect. A copy of the authority is sufficient, provided it has been certified as being a true

copy of the original by the clerk of the issuing court. The administrator or executor shall also submit Form NCR-664, signed in his representative capacity, in the event this form has not previously been executed by the contractor.

2. If an administrator or executor has not and will not be appointed, Standard Form 1055 should be executed by one of the heirs who is of legal age and has sufficient knowledge of the affairs of the decedent to supply the required information. Form NCR-664 should also be executed by the individual submitting Standard Form 1055.

3. Settlement of these cases may not be made in the State office through the regional disbursing office. Form AD-42 should be prepared on the case for the signature of the director of finance in conformance with the instructions contained in APS-1. It will be necessary to forward all forms, letters of authority, and any other relevant material to this office for examination and transmittal to the General Accounting Office. Any further correspondence which may be necessary will be continued by that office. It will not be necessary to submit Standard Form 1034.

4. **Continuation of contract when original contractor is deceased.**—The estate of a deceased contractor is required to fulfil a source of supply contract to the extent of unfilled orders on hand at the time of the contractor's death. However, the balance of such a contract may be canceled or continued by a representative of the estate of the deceased contractor. In the event the contract is to be continued a statement in duplicate agreeing to the terms of the contract, signed by the party who is to continue the contract and approved by the contracting officer, should be prepared. The original copy of the statement should be forwarded to the Contract Examining Section, General Accounting Office, Washington 25, D. C., and a copy to the North Central Region. If the contract is to be continued by an administrator or executor, the capacity in which such person is signing should be shown, and the statement sent to the General Accounting Office should be accompanied by letters of authority authorizing the administrator or executor to act in the capacity indicated and showing that such authority is still in full force and effect. If the contract is to be continued by someone other than a representative of the decedent's estate, the relationship to the deceased should be given and information as to whether there will be administration of the estate should be furnished. If an administrator has been appointed but the contract is to be continued by someone else, in addition to the statement by the person who is to continue the contract, a statement should be submitted by the administrator to the effect that it is satisfactory for the contract to be continued by such person. Forms NCR-664, covering material supplied by the substitute contractor, should be signed by him, and he should be indicated as payee on the voucher.

Section XI.—SAMPLING AND ANALYZING OF CONSERVATION MATERIALS, AND ANALYSIS REPORTS

A. SAMPLING

It is important that sufficient samples be taken of all conservation materials furnished to insure farmers securing materials that meet the specifications under the contracts awarded by the Government.

Lime samples should be taken at destination (or en route thereto), in the case of every contractor. Where the plant is located in the region in which distribution is made, samples may be taken at the plant, provided adequate spot checks are made at destinations. During the season of most active distribution, samples should be taken approximately every 30 days, and in no event at intervals exceeding 60 days. If analysis shows the quality of material to be below specifications, samples should be taken at weekly intervals in order to determine the nature and extent of the deficiency.

1. Bulk material.—Under the conservation materials program, liming materials shall be furnished in bulk.

a. **Carlot shipment.**—Samples should be taken from several places in the car. These should be thoroughly mixed, and then the proper amount desired for the sample to be tested should be quartered out. At least a pound of material is necessary for proper analysis. Samples should be forwarded to the State office. (Proper identification would include car number, Aaa shipping request number, name and address of shipper, and date of shipment.)

b. Analysis results should be examined to determine whether instances of underguarantee are representative of the period covered. Where the general quality of performance runs under standard, all analyses over the period should be averaged and the result applied to the total tonnage delivered during the period. In averaging analyses, all samples running above guarantee should be considered as only having met the guarantee.

c. **Other than carlot shipments.**—A representative of the county committee will obtain samples of liming material at the quarry or contractor's shipping point during the period when requests for material are being filled by the contractor. In taking samples of liming material at the quarry, insofar as possible, the sample should be taken from moving material as it comes from the crusher. In taking a sample from a stock pile or from a loaded truck, care should be taken to get as nearly a representative sample as possible. This will necessitate taking samples from different places on the pile or load, thoroughly mixing the individual samples, and then quartering out the amount desired for the sample to be tested. Samples taken at the quarry or contractor's shipping point should be identified by giving the date of the sample, contractor's name, and the address of the quarry or shipping point where the sample was taken. Any producer who receives liming material may obtain analysis of the material furnished him if he will provide the country committee with a sample.

2. Bagged material.—18, 19, and 20 percent superphosphate, defluorinated and raw rock phosphate, and gypsum, which are furnished in bags, shall be sampled in conformance with the following procedure:

a. The State office shall advise the counties when to take samples so that every tenth car of material shipped into the State by a contractor is sampled. This can be accomplished by the State office keeping a record from the State office copies of the bills of lading received, and requesting the county to which a particular shipment is being made to forward a one-pound sample to the State office for testing.

b. Use a sampler that removes a core from the top to the bottom of the bag. If a sampler is not available, be sure that the sample taken is representative of all parts of the bag. Take cores from not less than ten percent of the bags present unless this process necessitates cores from more than twenty bags, in which case take a core from one bag for each additional ton represented. If less than one hundred bags, sample not less than ten bags; if less than ten bags, sample all bags. Thoroughly mix the portions taken on a clean oilcloth or paper, reduce by quartering to the quantity of sample required, and place in an air-tight container.

c. Samples should be forwarded to the State office in moisture-proof bags properly identified as to county and State code number, Aaa order number, car number, name and address of contractor, and date sample was taken.

B. SAMPLES OF MATERIAL FURNISHED UNDER PURCHASE ORDER

1. **Fertilizers.**—One sample of each kind (analysis) of fertilizing material by each vendor on purchase orders shall be taken as soon as possible after the first order for that kind of material has been delivered and an additional sample for each 500 tons delivered by each vendor. If a vendor does not deliver 500 tons of a material, at least one additional sample shall be taken during a program year.

Upon receipt of notification from the regional office that a sample has failed to meet specifications, the State committee shall:

(a) Notify the county committee of the county in which the sample was taken to take three additional samples from material of the same kind and brand delivered by the same vendor.

(b) Notify all county committees in the State to take at least one sample from material of the same kind and brand delivered by each vendor who has delivered such material unless such a sample has been taken within the preceding 60 days.

The frequency of taking further samples will be determined by the State committee. A County committee may recommend to the State committee that samples be taken more frequently if it believes it to be desirable for the successful operation of the program or if it has reason to believe that any particular brand of fertilizer is generally deficient.

C. ANALYSES**1. Liming materials:**

a. The existing facilities for analyzing liming materials should be continued. At the present time samples of liming materials are being analyzed either in the Commodity Loan Laboratory in the State office or by the State University.

b. Each report shall be examined to see that the sample analyzed meets the specifications of the contract.

c. If a report shows that the sample of material analyzed did not meet the specifications the county shall be advised and instructed to submit two or more additional samples to be analyzed. The county shall notify the producer of the result of the first analysis and if the material is considerably below specifications shall instruct him not to make any further deliveries until the results of the additional tests are received. Material which is slightly below specifications may be accepted and payment made at a proportionate reduction in price.

d. The analysis reports shall be filed in the State office and shall be kept in such order as to be available for submitting summary reports to the Washington office when requested.

2. Superphosphate:

a. Except in those States where arrangements have been made for the analyzing of superphosphate by State universities, samples should be forwarded to Dr. K. D. Jacob, Division of Soil and Fertilizer Investigation, Building No. 7, Plant Industry Station, Beltsville, Maryland.

3. Gypsum:

a. Samples of gypsum should also be forwarded to Dr. Jacob.

D. ANALYSIS REPORTS

1. ACP-133, Conservation Materials Analysis Report should be prepared for and should accompany each sample sent to Dr. Jacob. It is also preferred that reports to the North Central Region of analyses of superphosphate made by State universities be submitted on Form ACP-133.

2. Form ACP-133 should be prepared as follows: a. Enter the "Type of material," "State," "County," "Contractor," "Shipping point," "Contract No.," "Aaa order No.," the name of the person who obtained

the sample, the name of the City and State where the sample was obtained, and the date.

3. Form ACP-133 should be distributed as follows:

a. Samples sent to Dr. Jacob—

(1) The State office should maintain a record of samples sent to Dr. Jacob until the original ACP-133 is returned.

(2) Forward the original and two copies of Form ACP-133 with the samples.

(3) Forward the remaining copy to the North Central Region.

(4) The original will be returned to the State office after the material has been analyzed.

b. Reports of analyses made by State universities.

(1) Forward the original and two copies to the North Central Region.

(2) The State office will retain one copy for its files.

Section XII—PENALTIES, REFUNDS

A. PENALTIES

1. **Failure to use during program year.**—Where a producer obtained conservation material but did not use such material during the program year, he should be allowed to use the material the following year provided he obtains permission from the county committee. The county committee may permit the producer to retain the material for use during the following year, or if the needs of the county are such that the material is needed for distribution to other farmers for immediate use may require the return of the material. When the material is retained for use during the following year, the deduction for the value of the material should be made from the payment for the program year during which it was furnished. If in the following year the material is used in accordance with the provisions of the program for such year, production practice credit will be given for the application of the material. If the material is misused, or is not used during the program year for which it was obtained, and permission to use it during the following year was not secured from the county committee, the rate of deduction will be twice the amount of the usual rate of deduction for that portion of the material misused.

2. **Intended use during following program year.**—Upon approval by the county committee, if material is obtained during one program year and it is indicated on the order that it is for use during the following program year, no deduction shall be made from the payments earned by the farmer during the program year in which the material was delivered. Such material shall be handled as if it were delivered during the program year in which it is intended for use. The county committee, in approving requests for material for use during the following year, should take into consideration the availability of material and should not approve such requests where there is not sufficient material to meet the immediate needs of the county.

B. REFUNDS

If the value of the material supplied a producer is in excess of his 1945 agricultural conservation payment, the excess amount shall be repaid to the Government. The refund shall be in the form of a postal money order, certified check, or cashier's check, payable to the Treasurer of the United States, and forwarded to the State office

with a memorandum explaining the circumstances. In the event the refund cannot be obtained, the producer's name should be placed on the Register of Indebtedness.

Section XIII.—FORMS

A. NCR Forms.—The following NCR forms are to be used in connection with the 1945 Conservation Materials Program:

1. NCR-663 Delivery Receipt.
2. NCR-664 Contractor's Delivery Summary.
3. NCR-908 Handling and Distribution Contract.
4. NCR-965 Request for Authority to Solicit Bids (County Contract).
5. NCR-967 Bid Abstract (County Contract).
6. NCR-967-A Bid Abstract of the F. O. B. and Stock Pile Bids (State-wide Bids).
7. NCR-968 Sample Letter to Contractor.
8. NCR-969 County Conservation Material Report.
9. NCR-970 State Conservation Material Report.
10. NCR-971 Notice of Acceptance (County Contract).
11. NCR-971-A Notice of Acceptance (State-wide Contract).
12. NCR-973 Cost Schedule for Rail Shipments.
13. NCR-974 Difference Statement.
14. NCR-975 Bid Receiving and Progress Record.
15. NCR-976 Walsh-Healey Letter.
16. NCR-979 Contractor's Progress Record.
17. NCR-982 State Superphosphate Record.
18. NCR-983 State Office Record of Liming Materials Contractor.
19. NCR-984 Trucking Contract.
20. NCR-993 Report of Purchase Orders.

State or county offices will mimeograph supplies of all NCR forms other than Forms 663, 664, 971, and 971-A which will be prepared in carbon interleaved sets. State offices should mimeograph a supply of NCR forms for the counties or furnish counties with samples of the forms which appear in the tentative (ditto) copy of NCR-960.

B. ACP Forms:

1. ACP-64 Request for Conservation Material or Service.
2. ACP-65 Request for Shipment & Consignee's Delivery Summary.
3. ACP-67 Receiving and Inspection Report.
4. ACP-68-B Contractor's Delivery Summary.
5. ACP-128 Order for Conservation Material or Service (Purchase Order).
6. ACP-130 Request for Shipment.
7. ACP-133 Conservation Materials Analysis Report.
8. ACP-146 Fair Price Recommendations.

C. Standard Forms:

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| Standard Form No. 33 | Revised Invitation, Bid and Acceptance. |
| Standard Form No. 1034 | Revised Public Voucher for Purchases and Services other than Personal. |
| Standard Form No. 1036 | Statement and Certificate of Award. |
| Standard Form No. 1064 | Schedule of Disbursements. |
| Standard Form No. 1080 | Voucher and Adjustments Between Appropriations and/or Funds. |
| Standard Form No. 1103 | Government Bill of Lading. |
| Standard Form No. 1107 | Temporary Receipt. |
| Standard Form No. 1108 | Certificate in Lieu of Lost Bill of Lading. |

D. Miscellaneous Forms:

- PC-1 Notice of Award of Contract.
PC-13 Walsh-Healey Poster.